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International Affairs

UK Home Secretary Clarke Visits Delhi

Meeting With Chavan

93AS0562A Calcutta *THE TELEGRAPH* in English
5 Jan 93 p 5

[Article: "Check Hawala Trade, India Tells UK"]

[Text]

British Home Secretary Meets Chavan

New Delhi, Jan. 4: The Union home minister, Mr. S.B. Chavan today urged the British home secretary, Mr. Kenneth Clarke, to take steps to stop the flow of funds through hawala transactions as a step towards discouraging terrorism.

Mr. Chavan also told Mr. Clarke that the terrorists were taking advantage of loopholes in the provisions for asylum under the existing British Immigration Act and were continuing their operation from the British soil. On the other hand, Indian businessmen and students were being denied extensions.

The British home secretary assured Mr. Chavan that he will see to it that these people were not inconvenienced.

These issues came up for discussion when Mr. Clarke called on the home minister at his North block office today. The meeting which was attended by senior officials from both sides lasted nearly 50 minutes.

The visiting British delegation was earlier given a presentation by the home ministry on the involvement of Pakistan in terrorist activities in India.

It gave details of how logistic and material support were being provided to terrorists from across the border to create trouble both in Punjab and Jammu and Kashmir.

Mr. Chavan and Mr. Clarke also reviewed the progress made between the two countries after the signing of the two treaties during the Union home minister's visit to the U.K. in September 1992.

The treaties have to be ratified by British Parliament, while, for India, they are likely to be introduced in the forthcoming Budget session.

Referring to the visit of Amnesty International delegation here recently, Mr. Chavan told his British counterpart that India will allow the team to visit other states in the country before taking up on a case-to-case basis its request to visit Punjab. He also mentioned the steps taken by India to set up a human rights commission and said a bill in this regard will be introduced in the next session of Parliament.

5 Jan Press Conference

93AS0562B Madras *THE HINDU* in English 6 Jan 93
p 1

[Article: "UK Wants Indo-Pak. Talks on Kashmir To Resume"; boldface words as published]

[Text] New Delhi, Jan 5. Britain hopes to see the dialogue between Pakistan and India on the Kashmir issue being carried forward, the visiting Home Secretary, Mr. Kenneth Clarke, said today.

Speaking to reporters, he said while India should take steps towards initiating a political process in Jammu and Kashmir, Pakistan should ensure that there was no help extended to violent extremism.

Referring to the demolition of the Babri Masjid, Mr. Clarke said Britain wanted India to continue functioning as a democratic society upholding the rule of law and secular ideals.

Banned outfits: Asked about the British Government's attitude towards organisations banned in India though functioning in England, Mr. Clarke said: "We are reluctant to proscribe groups." Though London is home to varied dissident groups, it is illegal to organise any kind of terrorist activity from there.

In the aftermath of the Ayodhya demolition, Mr. Clarke said there were attacks on Hindu temples/businesses and one mosque. His Government deplored these attacks, Mr. Clarke said, adding that these were of a hit-and-run nature. One person, however, had been arrested.

Mr. Clarke said he had held a joint meeting with members of both communities to ensure that calm prevailed in Britain. "Total calm has been restored," he claimed.

On the question of entry of Amnesty International into India, Mr. Clarke hoped that this "respectable organisation" would be allowed access. Saying he was "pleased" to hear about the progress in relations between India and Amnesty, Mr. Clarke hoped that these would develop in a constructive fashion.

Mr. Clarke said he had assured his Indian counterpart that changes in the immigration law would not harm the interests of Indians settled abroad or those visiting the country.

Commenting on the proposal to take away the right of appeal from those who had been refused visa, Mr. Clarke said it took some 1-1/2 years to process these appeals. Hence, his Government proposed a "quicker, better system."

Mr. Clarke said apart from meeting the Prime Minister, Mr. P.V. Narasimha Rao, he had discussions with the Home Minister, Mr. S.B. Chavan, the Minister of State for Home, Mr. M.M. Jacob, the Minister of State for External Affairs, Mr. R.L. Bhatia, and officials of the Home Ministry.

Menace of terrorism: Speaking of mutual interests in combating the menace of terrorism, Mr. Clarke said the treaties signed between India and Britain on extradition and confiscation of properties would be ratified soon by the Parliament.

During Mr. Chavan's visit to Britain in September last, the two Governments signed a treaty committing themselves to fight international terrorism.

The treaty is intended to prevent suspected terrorists from arguing that their offences are political to avoid extradition. Before extradition, magistrates would have to be satisfied that there is enough evidence to deport an individual.

Yet another agreement was signed on confiscation of assets and funds of those involved in and convicted of terrorism, drug trafficking and other international crimes.

Mr. Clarke, who has ended his visit to India, now travels to Pakistan.

Paper Reports on Yeltsin Visit, Results

28 Jan Talks, Banquet

93AS0581A Madras *THE HINDU* in English 29 Jan 93
p 1

[Article by K.K. Katyal: "New Friendship Treaty Signed With Russia"]

[Text] New Delhi, Jan. 28—India and Russia today agreed on the framework for settling the rupee-rouble exchange rate for the purpose of computing the quantum of the past debt owed to Moscow, thus promising the removal of a major obstacle in the way of trade and economic cooperation with its shadow over the political-level relationship as well.

The settlement—in the form of political guidelines—emerged out of the talks in the morning between the Russian President, Mr. Boris Yeltsin, and the Prime Minister, Mr. P.V. Narasimha Rao. This was a major advance, considering that past attempts had defied a solution. However, the details of the agreement, within the accepted framework, could not be finalised till late at night by the officials of the two sides to whom the job was entrusted. As a result the agreement was not ready and could not be signed in the evening though nine others were. Among them was the treaty of friendship and cooperation, which replaced the arrangement with the erstwhile Soviet Union. The treaty, signed by Mr. Yeltsin and Mr. Rao was based on the present-day changed realities in Moscow. It did not include the security clauses of the Indo-Soviet Treaty of Peace, Friendship and Cooperation of 1971.

According to a foreign office spokesman the two leaders "made a decisive and forthright political agreement on rupee-rouble exchange rate as both felt it was an unnecessary irritant in bilateral relations and could be resolved by a decision at the highest political level." They agreed that the calculations be based on the exchange rate existing on January 1, 1990 and the entire package be implemented with effect from April 1, 1992. A rough estimate put India's advantage at 37 per cent as against the figure initially mentioned by the Russian Government. India, at one stage, wanted a 50 to 60 per cent reduction, because of the steep fall in the real, international value of the rouble.

Supplies as Scheduled

Equally positive was the outcome of their discussions on cooperation in the area of space, defence supplies and trade. Mr. Yeltsin reiterated his government's resolve to abide by the contract for the supply of rocket-booster engine, despite the opposition of the U.S. and other Western nations. When two countries, such as Russia and India, had reached an agreement neither side would resile from it because of third party intervention, Mr. Yeltsin told Mr. Rao. There was no room for any interference, and the supplies would be made according to the agreed schedules, he emphasised.

As regards the defence supplies, specially of spares, which had posed a serious problem to India, Mr. Yeltsin made three proposals which were welcomed by Mr. Rao. These were: 1) improvement of the functioning of the enterprises in Russia, involved in manufacturing spares; 2) setting up of joint ventures to produce spare parts (most probably in India) and 3) transfer of technology to India so that factories here could manufacture the spares. It was agreed to try all three proposals.

As regards trade, Mr. Yeltsin spoke of the need for substantial thrust as the current level did not reflect the potential between the two countries. Mr. Rao shared this perception and it was agreed that every effort be made to promote trade. Later the two sides exchanged letters, providing for the repayment of the debt by India through the export of goods and services. Also the period of the technical credit, given by India to Russia, was extended to May 31 from the earlier deadline of December 31, 1992.

The two leaders (along with aides) met for one hour and 45 minutes, and for 40 minutes along with full delegations. Mr. Yeltsin was assisted by the Russian Ambassador in India, Mr. Anatoly Dryukov, and two others. Mr. Rao was helped by the Foreign Secretary, Mr. J.N. Dixit, Indian Ambassador in Moscow, Mr. Ronen Sen, and the Joint Secretary in the Prime Minister's Office, Mr. Prabhakar Menon.

Backing to Kashmir Issue

During a review of the situation in the region, Mr. Rao explained his Government's stand on Kashmir (that it was an integral part of India). Mr. Yeltsin, according to the foreign office spokesman supported this position and expressed Russia's backing to India's unity and territorial integrity. From the manner he responded to Mr. Rao's observations, it was clear that Russia would be supportive of the Indian position in the Security Council and elsewhere. After the two leaders discussed the dangers posed by religious fundamentalism which had led to violence and terrorism in various parts of the world, Mr. Rao particularly drew attention to the threat posed by cross-border, state-sponsored terrorism. Mr. Yeltsin was forthright in expressing his country's opposition to terrorism and secessionism.

The economic reforms undertaken by the two countries and their implications in the domestic and bilateral context were considered by them at some length. They

were of the view that the progress and completion of reforms in each country would strengthen the bilateral ties. Russia agreed to cooperate with India at the multi-lateral fora and for the purpose, the representatives of the two sides would be in touch with each other. The other subjects taken up by them included developments in central Asia, Iran, the Gulf region, Afghanistan and the reduction of strategic nuclear weapons.

The agreements and the documents signed by the two sides formed an impressive array. Among these were, apart from the treaty of friendship and cooperation, the MOU [Memorandum of Understanding] on science and technology, protocol on consultations between two foreign office agreements in regard to culture, defence, information, interaction between the Home Ministry here and Ministry of Security in Moscow, cooperation in combating illicit drug traffic, and exchange of letters concerning trade.

Commonalities of Interests

Speaking at a banquet, hosted by him for Mr. Yeltsin, the President, Dr. S.D. Sharma, struck a highly amiable note on bilateral relations. Changes in India and Russia, he said, did not detract from the inherent commonalities of interests between the two countries and the availability of opportunities for bilateral cooperation to mutual benefits. The modalities of such cooperation, according to him, would no doubt, require adjustments and modifications to take into account the on-going challenges in the two countries.

Referring to the many common values and aspirations, the President said: "We are both complex societies that believe in democracy and secularism. We are wedded to the universal values of peace and democracy." He was happy to note that Russia maintained not only a constructive dialogue with the non-aligned movement but also favoured this dialogue growing deeper at all levels.

It must be the joint endeavour of India and Russia to establish a non-exploitative international community, ensuring equity in the broadest sense of the term. It was to this end that he wanted the opportunities offered by the post-cold war era to reshape inter-state relations, to be utilised. Any new structure that governed such relations must be capable of dealing with the challenges that were global in scope and in need of urgent solution. He was referring, he said, to the problems of removal of poverty, environmental degradation, weapons of mass destruction, cross-border terrorism and drug trafficking.

The agreements signed by the two sides earlier in the day, according to Dr. Sharma, would establish a firm foundation for successful bilateral cooperation. "It would be our endeavour to build upon this foundation in the calibrated and comprehensive manner," he said. The President was convinced that Russia would overcome the difficulties and obstacles that loomed larger today, and would re-emerge as a significant polity contributing to stability and peace in the Eurasian region.

The two Presidents had their first meeting soon after the ceremonial reception to Mr. Yeltsin at Rashtrapati Bhavan in the morning. It was there that he set the tone of substantive talks (with the Prime Minister soon after), saying his Government was keen to enhance cooperation with India in varied fields, defence, economic, technical and political. He looked forward to a positive growth in the bilateral field. The two leaders agreed that friendship and cooperation should not only be preserved but strengthened. The opening up of the economies of the two countries had brightened the prospects for cooperation, they felt.

India's Philosophy Hailed

Responding to Dr. Sharma's address at the banquet Mr. Yeltsin commended India's philosophy and ideas which were able to play a remarkable peace-keeping role to become a counter-balance to militant nationalism and religious extremism. He shared the concerns of the type, experienced by India, on matters relating to the country's territorial integrity.

Mr. Yeltsin said "Russia, like India, is also a multinational state. Experience of addressing ethnic conflicts has demonstrated that complexity and sensitivity of the national and ethnical as well as religious and communal problems commands that these be solved only through political dialogue."

"At the same time it is necessary to take principled stand and demonstrate firmness in order to prevent escalation of conflicts and the threat to people's lives as well as to the unity and territorial integrity of states. Here we see eye to eye with the leaders of India."

As for the treaty, signed today, he said it was intended "to update our diversified ties in harmony with the spirit and reality of the present times."

PTI, UNI report:

At the ceremony marking the signing of agreements in the Ashoka Hall of Rashtrapati Bhavan, the External Affairs Minister, Mr. Dinesh Singh and the Russian First Deputy Prime Minister, Mr. Vladimir Shumeiko, signed the agreement on cooperation in science and technology.

Mr. Dinesh Singh and his Russian counterpart, Mr. Andrei Kozyrev, signed the protocol on regular consultation between the foreign offices of the two countries.

Rao Accepts Invitation

Mr. Rao today accepted an invitation from Mr. Yeltsin to visit Russia.

Mr. Yeltsin extended the invitation to Mr. Rao during the official talks this morning.

A meeting of MPs [Member of Parliament] and eminent citizens in honour of Mr. Yeltsin will be held in the Central Hall of Parliament tomorrow.

Analyst on Friendship Treaty

93AS0581B Madras *THE HINDU* in English 29 Jan 93
p 9

[Article by K.K. Katyal: "New Treaty Puts Emphasis on Bilateral Amity"]

[Text] New Delhi, Jan. 28—The Treaty of Friendship and Cooperation, signed by India and Russia today avoids directly or by implication, any reference that could be construed as directed against a third country. It is based on the new thinking in Moscow which, discarding the special relationship theory, puts emphasis on bilateral amity.

It does not include the vital security clause—the crux of the 1971 Indo-Soviet Treaty of Peace, Friendship and Cooperation. The title of today's agreement does not include the word "peace." There is no provision for immediate consultations in the event of an aggression against one party for the removal of the threat.

Officials of the two sides, however, would like the present treaty to be read in conjunction with two other documents also signed today—the protocol on mutual consultations between the two Governments and the agreement on defence (seeking to ensure the product support, especially of spares). Interestingly it refers to the Delhi Declaration (between the former Prime Minister, Rajiv Gandhi and the head of the erstwhile Soviet Union, Mr. Mikhail Gorbachev).

The security clauses, which are not there in today's arrangement were a vital part of the 1971 treaty.

Article VIII dealt with one important aspect—"in accordance with the traditional principles established between the two countries each of the High Contracting Parties solemnly declares that it shall not enter into or participate in any military alliance directed against the other party. Each High Contracting Party undertakes to abstain from any aggression against the other party and to prevent the use of its territory for the commission of any act which might inflict military damage on the other High Contracting Party."

Article IX hit the headlines in the West then. It said: "Each High Contracting Party undertakes to abstain from providing any assistance to any third party that engaged in armed conflict with the other party. In the event of either party being subjected to an attack or a threat thereof, the High Contracting Parties shall immediately enter into mutual consultations in order to remove such threats and to take appropriate effective measures to ensure peace and the security of their countries."

Under Article X, "Each High Contracting Party solemnly declares that it shall not enter into any obligation, secret or public, with one or more states; which is incompatible with this treaty. Each High Contracting Party further declares that no obligation exists nor shall any obligation be entered into, between itself and any other state or states, which might cause military damage to the other party."

Credit Agreement

93AS0581C Madras *THE HINDU* in English 29 Jan 93
p 9

[Text] New Delhi, Jan. 28—India and Russia have agreed through exchange of letters, utilisation of the balance \$85 million technical credit extended by the former to the latter, till May 31, 1993. Under the trade protocol signed between the two countries last year, India gave Russia \$285 million technical credit for use that year. But the actual utilisation was only \$200 millions.

According to the agreement signed through exchange of letters here today between the Commerce Minister, Mr. Pranab Mukherjee, and the Russian Minister of Foreign Economic Relations, Mr. S.Yu. Glaziev, Russia can utilise till May 31, 1993, the technical credit granted last year, by opening letters of credit and making shipments from India by that date.

Regarding the repayment of credit extended by Moscow to Delhi, it was agreed that funds received from India in repayment of state credits granted by the erstwhile Soviet Union shall be utilised by Russia for purchase of any goods and services from India that are permitted for export under the export-import policy of the Government of India.

An official release here today said Indian exporters who had actually shipped goods to Russia till December 31, 1992, but not received payment either under the technical credits granted to the erstwhile Soviet Union or Russia in 1992, may be paid out of the repayments by India of the state credits granted by the erstwhile Soviet Union. It said that taking into account the lists provided by the Indian side and the verification of the receipt of the goods in Russia by the Russian side, payments may be made to the Indian exporters.

The Reserve Bank of India (RBI) and the Bank for Foreign Trade of Russia will suitably modify the banking arrangements of June 10, 1992, keeping in view the new understandings reached between the two Governments and extend the validity of the arrangement as mutually found necessary.

Further, in pursuance of the trade and economic cooperation agreement signed between the two countries in May 1992 and subsequent discussions, it was agreed here today, through exchange of letters, that persons of either country shall be free to import and export goods and services from each other also on the basis of counter-trade, commodity exchange, barter, buy-back operations or any other internationally recognised form of business cooperation.

For this purpose, besides settlements in freely convertible currencies, as envisaged in the agreement on trade and economic cooperation, the RBI and the Central Bank of Russian Federation shall allow Russian exporters and their banks to maintain the existing special

accounts and to open special accounts in dollars with commercial banks in India on the terms and conditions laid down by the RBI.

Transfer of part of funds: A part of the funds generated in such special accounts will be transferred by the holders of the special accounts to the central account of the Bank for Foreign Trade of Russia in the RBI as per the laws and regulations of the Russian Federation in force from time to time. Funds in the central account shall be utilised by the Russian Government and its nominees to purchase any goods and services from India that are permitted for exports under the export-import policy. The funds in the special accounts shall also be utilised by the Russian exporters for purchase of goods and services from India, as allowed for export under the exim policy of the Government of India from time to time.

It was also agreed that, starting from January 1, 1993, the repayment of credits taken for procurement of machinery and equipment by Indian organisations, including payments against overdue liabilities, if any, will be made in Indian rupees directly into the special accounts of successor Russian organisations in commercial banks in India. The arrangement related to the discussions between the two sides regarding protocols on the deliveries of machinery and equipment from the former U.S.S.R. to India on deferred payment terms, which were signed in 1981 and 1985.

The release said the rupee funds accruing in these accounts would be utilised without prior conversion to dollars by the Russian organisations to purchase any Indian goods and services for export to Russia that are permitted under the export-import policy of the Government of India.

According to the agreement signed between Mr. Mukherjee and Mr. Glaziev, there shall be no reversal of entries for the payments of the credits by Indian organisations made up to December 31, 1992, to the central account of the Bank of Foreign Economic Relations with the RBI. However, the protective currency clauses will continue to apply in accordance with the protocols.

Defense Cooperation

93AS0581D Madras *THE HINDU* in English 30 Jan 93
p 9

[Quotation marks as published]

[Text] New Delhi, Jan. 29—Product support, including an assured supply of spares, modernisation of equipment through technology transfers as well as activating exports to third countries, forms the core of an agreement on defence cooperation signed on Thursday between India and the Russian Federation.

The agreement which otherwise speaks in generalities specifies guaranteed supply of spares and treats maintenance services and repairs, including overhauling and modernisation, as priority areas.

User support for handling weapon systems has also been given significant importance in the document. Under the new arrangement, India and Russia share a joint commitment to assist each other in servicing equipment and weapon systems.

The thrust on maintenance of existing items in India's defence arsenal is a running theme of the agreement— notwithstanding allowance for each country in the document to acquire new weapons. While the understanding reached allows signing contracts in specific areas, it emphasises that this is done 'without prejudice' to existing commitments, 'for the maintenance and repair of military equipment earlier supplied'. The agreement also clearly specifies consultations prior to the closure of any production line.

Both countries have given considerable weight to joint research and development, licensed production in the overall context of promoting defence science and technology.

Another thrust area is on exchange of personnel with the document elaborating on activating training, information exchange and 'sharing of experience between the two armed forces'.

Besides, both sides have decided to institutionalise contacts—they will meet alternatively in India and Russia whenever required and they can reach agreements of cooperation through a flexible arrangement of direct contacts by representatives themselves or through diplomatic channels.

Tackling terrorism: In another agreement centering on 'exchange of information and experience', India and Russia have agreed to cooperate in joint efforts to combat 'different manifestations of terrorism, organised crime, illegal arms trade, international illegal economic activities and contraband'. In an agreement signed between the Home Ministry and the Ministry of Security of the Russian Federation, New Delhi and Moscow have decided to coordinate tracking down of suspects and regularising interaction with a view to ensuring security for respective diplomatic and consular offices as well as specially designated persons.

The understanding reached includes a provision to sign protocols on interaction of parties 'in particular fields of their activities'.

In addition, the two sides have decided to include a provision in the agreement which allows posting of a liaison officer whose legal status and duties will be determined by 'mutual consultations', in what appears to be an attempt at regularising interaction.

Drug trafficking: In a related agreement, the Finance Ministry and the Russian Ministry of Security have decided on joint forays to combat illicit traffic in narcotic drugs and psychotropic substances. Aimed at suppressing and preventing activities of international drug syndicates, India and Russia agreed on an extensive programme of information exchange, coordinator of activities and sharing of expertise in the field.

The two sides have agreed to exchange information on identified persons, irrespective of their nationality, groups and organisations engaged in illegal manufacturing, storing, shipment and marketing of drugs and psychotropic substances.

The groundwork for facilitating information exchange between India and Russia has been laid with a five-year renewable agreement in this arena between the two countries.

Rupee-Ruble Rate

93AS0581E Madras THE HINDU in English 30 Jan 93
p 9

[Text] New Delhi, Jan. 29—India and Russia today successfully worked out an agreement on the repayment of outstanding State credit extended by the former Soviet Union for defence and civilian projects in India. The agreement has been mutually beneficial as India has been able to reduce its repayment burden while Russia has maintained the 1978 protocol under which the depreciation of the rupee is taken into consideration while the rouble rate stays stable.

The agreement, signed today by the Finance Minister, Dr. Manmohan Singh, and the First Deputy Prime Minister of Russia, Mr. V. Shumeiko, follows the pattern decided on Thursday to divide the debt in two parts—with 63 per cent to be paid as per the earlier protocol over 12 years and the balance 37 per cent rescheduled with a 45-year repayment period at zero interest rate.

This rescheduling of a portion of the debt is expected to reduce the annual repayment burden by about Rs [Rupees] 1,000 crores and the outgo over the next few years is likely to be around Rs. 2,400 crores annually.

New schedule: As had been decided on Thursday, the total debt of 9,871 million roubles is to be calculated first at the rate of Rs 31.75 to a rouble (the rate prevailing on April 1, 1992) which works out to a total of Rs 31,377 crores. The second calculation is to be at the rate of Rs 19.90 per rouble (the rate prevailing on January 1, 1990) which makes it a total of Rs 19,643 crores.

As per the new agreement, most of the Rs 19,634 crores is to be paid back over a period of 12 years with the rupee value indexed to a basket of six SDR (special drawing rights) currencies. The interest rate varies with the special conditions attached to individual credits extended in the past, but the average works out to around 2.4 per cent per annum.

Equal instalments: The rest of the amount, that is Rs 31,377 crores minus Rs 19,643 crores, will be repaid in equal annual instalments over a period of 45 years at zero interest rates. There will be no indexing to any depreciation of the rupee for the first five years after which a review will be undertaken. If then the rupee is found to have depreciated on the average by more than three per cent annually against the SDR currencies, the future payments will be indexed to the depreciation. If

the depreciation is less than three per cent, there will be no indexing. The position will be reviewed every five years, the agreement says.

On both the counts, repayments begin on April 1, 1992 and in both cases the repayment will be made in rupees which the Russians can use to buy goods and services from India.

Budgetary position: According to the Secretary, Economic Affairs, Mr. Montek Singh Ahluwalia, the settlement of the debt repayment issues is not likely to affect the budgetary position of the Government since without the agreement a larger quantum of money had to be repaid. Besides, in the current financial year, there is unlikely to be any additional burden on the exchequer since India has already extended technical credit to Russia which will more or less neutralise the debt repayment this year.

Mr. Singh also made it clear that the agreement today was valid only in the case of repayment of outstanding debt and for any future transaction between India and Russia, the two sides were free to negotiate new arrangements. Even trade between the two countries would now be possible in convertible currency which would allow India access to many of the products which the former Soviet Union was selling only in hard currency, he added.

Currency protection: Explaining the background to the problem of outstanding debt, Mr. Singh said as per the 1978 protocol, the rupee depreciation against five SDR currencies was to be reflected in the rupee-rouble exchange rate whereas the rate of the rouble was to be invariant. "There was an element of currency protection for the rouble and the exchange rate carried in line with the inflation rate in India. This was up to 1986 after which the exchange rate started varying from the inflation rate, affording unnecessary protection to the rouble," he said.

India, consequently took up the issue with the former Soviet Union and discussions on this started in late 1989. The matter was, however, unresolved and required the intervention of the Prime Minister, Mr. P.V. Narasimha Rao, and the Russian President, Mr. Boris Yeltsin, to reach a solution which came well after midnight on Thursday.

Yeltsin in Parliament

93AS0581F Madras THE HINDU in English 30 Jan 93
p 9

[Text] New Delhi, Jan. 29—The Russian President, Mr. Boris Yeltsin's 50-minute address to parliamentarians, diplomats and other distinguished guests in the Central Hall of Parliament here today emphasised the growing importance of the "peaceful interaction between the three large Asian countries—Russia, India and China—which could become a powerful factor in the world."

The warm speech drew repeated applause and a standing ovation from the Prime Minister, Mr. P.V. Narasimha

Rao, and other distinguished members of the gathering and left no one in doubt that Mr. Yeltsin's first visit to India had paved the way for strengthening the bonds between the two countries and had placed them on firmer ground by introducing a sense of pragmatism in the long-standing friendship.

Mr. Yeltsin, who covered the political, social, cultural and economic aspects of Indo-Russian relations and placed them in its overall "Asian policy," welcomed "the improved Sino-Indian relations" and pointed out that recent "Sino-Russian contacts have also taken on a new quality." These, he said "fit into our overall Asian policy and he saw 'no need to crowd out any other country'." He stressed the importance of "peaceful interaction among the three large Asian countries" and felt that this "could become a powerful factor in the world."

No aid to Pak: At the same time he made it clear that Russia "supports India's position on Kashmir firmly and unwaveringly" and would give "no military or technical aid to Pakistan." He looked forward to normalisation of Indo-Pak. relations and offered "to help in any way that would be admissible to both the sides."

Then, referring to the Afghanistan problem, he said it was becoming "increasingly obvious that effective steps were needed for peace" in that region. The problem of return of Russian POWs remained and "measures taken in this regard by the world community have fallen short of expectations," he said. He hoped that India would make its contribution to resolving this issue.

Need for practicality: "Indo-Russian relations are of an immutable nature," he said and added that there was 'no danger of any serious friction ever'. "The new treaty between the two countries was more in line with the needs and interests of the peoples of the two countries based as it was on 'pragmatism in bilateral relations' rather than 'ideological emotionalism.' There was need, he said, "for less bombast and more practicality."

He touched on the importance of the economic reforms under way in the two countries and the danger of ethnic conflicts. "Today we need to learn, to remember the catastrophic consequences of wanting to change the world at any cost." This could lead to "unprecedented destruction" as most people in the world today live in countries, in societies, that are multi-racial and multi-religious. "He hoped that human beings would have the strength to move away from ethnic conflicts."

Inter-communal peace: He referred to poets and writers of the two countries living in a different epoch who had shared the same vision in spite of the geographical distance between them. They had been concerned with the tragic fate of their countries where divisions had made them prey to foreign conquerors. In this context again he emphasised the importance of preserving inter-communal peace. "We know from our own experience" and "I strongly oppose any attempt to use these (ethnic) conflicts for political ends." He added that "the top

leadership of Russia was not divided on this question." Animosity cannot be destroyed by animosity, nor violence stopped by violence.

On the threshold of the third millenia the world was undergoing important changes to end the confrontation between the great powers. He visualised that in the next 15 to 20 years the very meaning of a great power would have undergone a change, it would be determined not on the basis of the number of warheads owned by a country but by the prosperity of its people. Russia had helped reduce the threat of a nuclear catastrophe by signing the START II treaty, he said and added briefly that "it was important to work for reinforcement of the Nuclear Non-Proliferation Treaty."

The Russian President said the economies of the two countries complemented each other and the geographical proximity would indicate a growth in trade. "Why then the recent reduction in trade," he asked, and went on to add that "this year we expect trade to increase to \$2.5 billions and by next year to \$3.5 billions. This could be done by building on the heritage of mutual trust and goodwill between the two countries."

He said he and the Indian Prime Minister, Mr. P.V. Narasimha Rao, had sought a compromise on the outstanding problems between the two countries. "We talked and talked, minute by minute we got closer and arrived at a compromise. This victory will serve to make cooperation between the two countries in the political, social, cultural, educational and scientific and intellectual spheres more dynamic."

More agreements: Besides the treaty and agreements already signed, he indicated that there would be more agreements. He referred to the issue of spare parts for India's defence needs and hinted at an agreement that would make India independent in this area.

He emphasised that the military-technical cooperation between India and Russia was not directed against any third country. The intention was to help India protect its own integrity and sovereignty. In Asia he did not see any other country as a potential adversary.

India "ahead of Russia": The Russian President paid complements to India's flowering democracy and suggested that it would be good for Russian politicians and intellectuals to visit this country and get an insight into the way of thinking of the elite here. India, he said, was way ahead of Russia in this field and, when he did not find the audience applauding, queried, in a lighter vein, whether they were dissatisfied with what he had just said.

Mr. Yeltsin said Russia had a lot to learn from the way the different branches of power in a democracy pulled together in India and how this country had balanced the different interests to keep its unity in diversity. "We have practical interest in learning about India's mixed economy as well," he added.

And finally, he congratulated India on the recent celebrations of its Republic Day anniversary and said "our

hearts are open to each other." On behalf of new Russia he "wished prosperity to this ancient, but surprisingly young and modern country."

Earlier, Mr. Shivraj Patil, Lok Sabha Speaker and chairman of the parliamentary group which had organised the function in cooperation with the India International Centre, welcomed the Russian President and Mrs. Naina Yeltsin. Mr. Karan Singh, on behalf of the IIC [Islamic Ideology Council], conferred honorary membership of the organisation on him.

First democrat: Mr. Narasimha Rao also welcomed him and Mrs. Yeltsin and said he was often referred to as "the first democrat of Russia." This visit, he said, was an important landmark in Indo-Russian relations, the earlier interaction having taken place in a different global context.

The two countries had a vast reservoir of resources to draw on and he had no doubt that the coming together of India and Russia would be of great benefit to the two countries. He referred to the winds of change that were blowing everywhere and in his view while change can carry seeds of turbulence, "we stand for change which is a catalyst that enriches."

Despite some changes, the global inequality continues, weapons of mass destruction continue to be piled and global environment degradation threatened life on the planet. He said in the noble effort to reshape a more equitable world, Indo-Russian friendship could play a vital role. He also wished Mr. Yeltsin success in his endeavours towards realising his own grand vision for the transformation of his own country.

29 Jan Press Conference

93AS0581G Madras THE HINDU in English 30 Jan 93 p 1

[Article by K.K. Katyal: "Russia Fully Backs India on Kashmir"]

[Text] New Delhi, Jan. 29—Russia today announced unqualified support to India on Kashmir, apart from saying that it did not intend giving help, military or technical, to Pakistan. Mr. Boris Yeltsin's remarks—in a public address and at a press conference—confirmed the assurances of support given by him to the Prime Minister, Mr. Narasimha Rao, privately on this issue—as, indeed, on several other matters.

His Government's "firm policy," he said at the press conference, was clear—that India must keep its integrity and stay united and undivided and "we support its position on Kashmir," consistently abiding by it as a member of the U.N. Security Council. "Truth, was on the side of India and we intend to support and defend it," he said. He did not want a rupture in the relationship with Pakistan but, on basic issues, could not go against common sense.

Equally categorical was his tone in his address in the Central Hall of Parliament—"Russia supports India's position on Kashmir firmly and unwaveringly and will give no military-technical aid to Pakistan."

Silent on NPT

The press conference was jointly addressed by Mr. Yeltsin and Mr. Rao, but most of the questions were addressed to the Russian President, who took pains to explain his Government's stand at some length. With one significant exception—nuclear non-proliferation. Asked about Russia's stand on the NPT [Nonproliferation Treaty], he merely said the issue was not on the agenda of his talks here. Obviously, he did not want to get involved in the controversy, arising from the varying perceptions of the NPT. Also, he did not want to get embroiled in a discussion on whether Russia would support India or Pakistan in the event of a conflict.

Instead he suggested a mechanism for conflict resolution in Asia on the pattern of the centre in Vienna for Europe. Russia, he said, was prepared to contribute to such an institute and its venue could be India.

What helped Mr. Yeltsin to be effusive on Indo-Russian matters was the fact that satisfactory arrangements were evolved as a result of his discussions on the supply of arms and spares to India, trade and the rupee-rouble exchange rate and the quantification of India's debt to Russia. On the last issue, Mr. Yeltsin and Mr. Rao agreed on a framework during their pre-lunch talks yesterday, but details could be settled only in the little hours of this morning and the agreement on it signed later in the day. Ten other documents, including the Treaty of Friendship and Cooperation, were signed yesterday.

He expressed satisfaction over the treaty because, under it, the Indo-Russian relations were not directed against a third country, the emphasis being on the development of bilateral relations. Russia, he said, had discarded the "special relationship" concept, underlying the 1971 Indo-Soviet Treaty—that arrangement was seen in Moscow then as providing a counterweight to the U.S. but Russia had no intention of playing the India card in the confrontation with "world imperialism" or with China.

Political Morality

In the context of political morality, he found India and Russia closer to each other as never before, having a relationship without political hypocrisy—a natural relationship based on trust. Then there was the shared adherence to democratic principles, he said, while emphasising that it would be myopic to see the bilateral relationship from the angle of difficulties, that had cropped up of late, but had been sorted out now.

He drew attention to the point that, apart from the treaty, the two countries had signed agreements on military and technical cooperation and on modalities of consultations. "We have no secrets from India and want to build on military cooperation," he said.

Cryogenic Engine Deal

Mr. Yeltsin spoke of the assurance, given to Mr. Rao, that Russia would unconditionally comply with the contract for the supply to India of a cryogenic engine (despite the U.S. opposition). This, to him, was a case of conducting relations on the basis of democracy, trust and openness. It would be a shame, according to him, if the two countries did not abide by the agreement. As for the possible impact on the U.S. (of the decision to go ahead with the contract), Mr. Yeltsin said he counted on common sense, sensibility and emerging relationship with the new U.S. President, Mr. Bill Clinton, whom he was due to meet in a third country.

The case of oil supply to India was different, according to him, because it was delivered through Iraq—a course not possible now because of the U.N. sanctions against that country. Mr. Yeltsin confirmed Russia's interest in the sale of an advanced jet trainer to India. As regards trade, he expected the quantum to go up to \$3.5 billions by 1994.

Mr. Rao supplemented Mr. Yeltsin's reply, saying that it was illogical to compare the contract on cryogenic engine with the oil supplies, others being not involved in the second case, a straight deal between the two countries. The Prime Minister was happy that the "clean" contract on the rocket-booster was to be complied with. Mr. Yeltsin, he noted, was good enough to say that it would stay and "we are grateful to him."

Dignitaries From Abroad

In reply to a question, Mr. Rao saw no special design behind the visits of dignitaries from abroad one after the other, except that it was a season for such visitors to be here. Besides, the British Prime Minister, Mr. John Major, was invited to be the chief guest on the Republic Day celebrations and could not, therefore, have come any other time.

The dates for the German Chancellor, Dr. Helmut Kohl (who was to come last year but could not do so because of preoccupations) were settled through diplomatic channels, he said, adding, "Each visit has a different flavour and we are the beneficiary." Mr. Rao was happy at the "significant and fruitful" discussions with Mr. Yeltsin on issues of common concern. The visit had laid a durable basis for future friendship, he said.

U.N. Council Membership

Would Russia support India for the permanent membership of the U.N. Security Council? Mr. Yeltsin was asked. He found it a difficult question not because he did not support India's position but because Russia, as a successor-state to the Soviet Union, was relatively younger. The issue, according to him, called for further scrutiny, a close look at the principles of the formation of the Council. He was, however, clear that the decision should not be based on the number of nuclear warheads possessed by a country, but its level of cultural and material development.

Mr. Yeltsin dwelt at length on Russia's decision to have a "purposeful Asian policy." In the past, Russia, he said, was charged with tilting towards the West—that was because it dealt with Washington as part of the efforts for the elimination of strategic weapons. That job having been completed "we have now to balance between the West and the East," he said, while emphasising that his government's policy was "devoid of blocs, axis, triangles or quadrangles." Russia, he noted, is a Euroasian country, with 10 million sq. km out of 17 million sq km in Asia. Because of this "simple fact of arithmetic," he saw the need for balancing between the East and the West. He drew attention to the Russian emblem—a two-headed eagle, one looking to the East, other to the West.

Delegation Visits PRC, Trade Pact Signed

4 Jan Activities

93AS0561A Calcutta *THE TELEGRAPH* in English
5 Jan 93 p 5

[Article: "India Moots Trade With China Via Sikkim, HP (Himachal Pradesh)"]

[Text] Beijing, Jan 4 (PTI): India today proposed opening more border areas for trade with China, specifically suggesting points in Sikkim and Himachal Pradesh, and the Chinese side suggested that "experts" may take a decision on it.

The proposal was conveyed to the Chinese foreign and trade minister Mr. Li Lanqing, by the minister of state for commerce, Prof. P. J. Kurien, here.

Prof. Kurien is the leader of the Indian delegation to the joint group on economic relations, trade, science and technology which is currently holding its session here.

The opening of more border points was agreed upon during the last meeting of the joint working group here two months ago and the Indian side submitted "concrete proposals" today, Indian officials said.

China is yet to officially recognise that Sikkim is a part of the Indian Union.

Prof. Kurien said the inhabitants of border areas in Himachal Pradesh and Sikkim were looking forward to opportunities for trade. Border trade started through Uttar Pradesh-Tibet frontier in mid-1992.

During today's session as well as at a meeting with the Vice-Premier, Mr. Tian Jiyun, both sides expressed the determination to give a push to bilateral economic relations.

The Vice-Premier specified that China was ready to invest in India and welcomed Indian investments, adding that the two sides could also go in for tie-ups in those countries.

Prof. Kurien welcomed Chinese investments, and also noted that "there should be no inhibitions in expanding the volume of bilateral trade."

He said there was scope for investments in areas like mining and supply of iron ore from India to China and of metallurgical coal from China to India.

There is also need for joint business councils which could meet once a year, concurrently with the joint group on trade.

Both Prof. Kurien and Mr. Li Lanqing highlighted the ongoing economic relations in their respective countries and said the time was right to go in for joint ventures.

Protocol Details

93AS0561B Bombay *THE TIMES OF INDIA*
in English 6 Jan 93 p 1

[Article: "Sino-Indian Trade Pact Signed"; quotation marks as published]

[Text] Beijing, Jan. 5. India and China today entered into a trade protocol, agreeing to open more points on the border for trade, expand the scope of commodities to be traded and encourage investments in each other's countries, report PTI and UNI.

The protocol was signed by the visiting minister of state for commerce, Prof. P. J. Kurien and the Chinese minister of foreign economic relations and trade Mr. Li Lanqing.

The protocol did not mention the new points to be opened but Indian officials yesterday said they had proposed points in Himachal Pradesh and Sikkim and that the Chinese side suggested the issue be decided by "experts."

The border trade is currently confined to a point in Pithoragarh district of the Uttar Pradesh-Tibet border.

The protocol signed today followed a two-day session of the joint group on economic relations, trade, science and technology, the fourth since its inception in December 1988.

Both sides agreed that the total trade volume could go up only if the content was expanded to include manufactured goods.

Currently China buys iron ore, chrome ore and a few pharmaceutical products and sells silk yarn and other minor articles, total trade volume ranging up to \$300 million this year by the most optimistic estimates.

As per the protocol, China will buy 1.8 million tons of iron ore, 120,000 tons of chrome ore and more agro-products this year, but the officials said actual offtake was expected to exceed the amounts agreed to because of increased needs of China's rapid industrial expansion.

The two sides agreed to identify specific technology transfer needs of the two countries and undertake consultancy services.

Good potential for joint ventures exists in machinery and construction, engineering consultancy, power generation equipment, railways and iron and steel processing and computer software, the protocol says.

Joint market surveys to increase trade volume, exchange of specialised trade delegations, participation in each other's trade fairs and opening of representative offices were discussed.

Prof. Kurien told the official Xinhua news agency that "other issues" should not inhibit economic and trade relations between the two countries.

Terming the meeting as "successful," he expressed optimism over the prospects for greatly increased trade, noting that both countries were in the throes of liberalisation.

The Chinese minister was quoted by official CHINA DAILY today as saying increased trade with India is becoming a 'priority' for China in its hunt for diversified markets abroad.

Since the resumption of trade with China, the balance of trade has always been in favour of China, shifting in favour of India for the first time in 1992.

The Chinese minister of foreign trade, expressed his confidence that the bilateral trade with India could jump ten times to \$3 billion in the near future. The Chinese vice-premier Mr. Tian Jiyun, said the Chinese government would take all possible steps to raise Sino-Indian trade to "unprecedented heights."

Both sides agreed to participate in tenders for projects in either countries to be financed by the World Bank, Asian Development Bank or other international financial organisations.

Papers Report on Relations With Israel

Statement on Palestinians

93AS0552A Bombay *THE TIMES OF INDIA*
in English 6 Jan 93 p 18

[Text] New Delhi, January 5. India yesterday urged Israel to withdraw its orders expelling 418 Palestinians to Marj-el-Zuhur following the kidnapping and assassination of an Israeli security official.

In a statement, the government said Israel's action in sending the Palestinian to a "no-man's land where the basic requirements for human survival were not available was excessive and unacceptable from any point of view or value system which should govern relations between peoples."

There was no justification for imposing humanitarian hardships on a large number of persons on the basis of one violent incident or the other, it added.

The government said it viewed with concern the developments affecting the Palestinian people in the occupied territories after the kidnapping of the official. It expressed the hope that all concerned would adopt the path of restraint in bringing down tensions to enable the expelled Palestinians to return. It promised all support for international efforts to achieve this object.

Israeli Envoy's Request

93AS0552B *Calcutta THE STATESMAN in English*
13 Jan 93 p 11

[Text] New Delhi, Jan 12. The Israeli Ambassador, Mr. E. Dowek, today called upon India to help bring Israel and the Arab world closer by playing an effective role in the West Asia peace talks, reports UNI.

Speaking at a meeting organized by the Confederation of the Indian Industry here today, Mr. Dowek said India was on one of the committees holding multilateral negotiations on West Asia.

"We will be gratified if India helps find a solution to the West Asia problem", he said.

Mr. Dowek said Israel considered India not only the main Asian country but a "big brother in the region". Though there were no diplomatic ties for 45 years between new Delhi and Tel Aviv, Israel never criticized India even when the latter was "leading a diplomatic onslaught" on the former, he said.

Mr. Dowek said if India had helped Israel enter the Non-Aligned Movement in the fifties, the history of West Asia would have been different.

Referring to trade ties between the two countries, Mr. Dowek said India and Israel would soon finalize agreements on the avoidance of double taxation, encouragement of mutual investment, research and development, tourism and civil aviation.

He called upon Indian entrepreneurs to avail themselves of the immense business opportunities being offered by Israel. India had intellectual potential and knowhow which could be used by his country, Mr. Dowek said. In some areas like solar power stations and water management, the Israeli experience could be of help to India, he said.

Mr. Dowek said though there were no diplomatic relations between the two countries. Israel and India had common areas of interest. "There was contact even between the Government of the two countries".

Imam, Others Said Talking to Islamic Diplomats

93AS0468A *Madras THE HINDU in English* 16 Dec 92
p 6

[Quotation marks as published]

[Text] Bombay, Dec 15. The Indian Muslim Youth Conference [IMYC] president, Mr. Mukhtar Abbas Naqvi, on Tuesday alleged that the Imam of Delhi's Jama Masjid, Mr. Abdullah Bukhari and other leaders were holding 'secret parleys' with diplomats from Islamic countries and provoking them against India.

In a statement here, he said the Muslim leaders were "misguiding" the world by giving exaggerated versions to the Islamic countries and the United Nations on the demolition of the Babri Masjid, under the very nose of the Government.

Mr. Naqvi was in Bombay on his way to Bangalore to attend IMYC's national executive meeting. He had

meetings with several 'underground' leaders of the Bharatiya Janata Party, the Shiv Sena, and the Vishwa Hindu Parishad.

Mr. Naqvi demanded that the Center immediately ban the Babri Masjid Action Committee, as it had failed to take stock of the situation in the wake of the kar seva and instead given fresh impetus to the volatile forces by maintaining a studied silence.

Mr. Naqvi had written to the heads of Islamic countries and the United Nations Secretary-General, indicating that the Babri Masjid was not a mosque and it had no religious significance for Islam, as Babar according to him was neither a religious leader nor a Caliph. He had pointed out that the tenets of Islam clearly said that a place acquired forcibly could never be a place of worship—UNI.

Commentary Views Defense Minister's Visit to Malaysia

BK0102042893 *Delhi All India Radio Network*
in English 0245 GMT 1 Feb 93

[Commentary by AIR Southeast Asia Correspondent T.G. Nallamuthu entitled: "Defense Minister's Visit to Malaysia"]

[Text] Mr. Sharad Pawar's four-day visit to Malaysia, the first ever by an Indian defense minister, is expected to enable the two countries to understand each other's perception of regional security and bring about closer cooperation in defense and defense production. Malaysia shares ASEAN's [Association of South East Asian Nations] perception that should the United States reduce its presence in East and Southeast Asia dramatically, India, China, and Japan are potential countries to fill the gap. India's navy, described often by others as a blue water one, and the missile development program have lent credence to this theory. Malaysia, with an enviable double-digit growth rate in recent times, has been building up its armed forces rapidly and has opened up more naval facilities on its western coast overlooking the Andaman and Nicobar Islands. New Delhi's offer sometime ago to have joint naval exercises with ASEAN countries was meant to help dispel fears that India was a military threat.

Mr. Pawar's visit should, therefore, provide an opportunity for the two countries to forge a better understanding of each other's defense requirements and development. Of late, Malaysia has been showing some interest in having a Mig formation in its air force. India, with a well-established production, can serve as a source of spares and training facilities. Mr. Pawar will have detailed talks with his counterpart, Mr. Najib; and the prime minister, Dr. Mahathir, to bring about closer relations between the two countries in the field of defense. They are slated to sign a memorandum of understanding which would specify the areas of interaction.

Recently, India and Malaysia have shown a greater urgency to the level of trade and investment in each other's country and the visit should help dispel any apprehensions about the process. While others realize that the economic reforms launched by India are irreversible, Mr. Pawar should be able to convince the Malaysians that the reforms will move forward with sufficient speed. India is due to begin its interaction with ASEAN as a sectoral dialogue partner in a few weeks. Mr. Pawar's visit to Malaysia, a key country in the region, should help strengthen this bridge of understanding.

Shekhar Reassures Arabs on Muslim-Hindu Violence

93AS0434A London AL-HAYAH in Arabic
25 Jan 93 p 7 [Interview with former Indian Prime Minister Chandra Shekhar by Jamal Khashuqi in New Delhi; date not given: "Shekhar: Muslims Want Support of Secularists; What Has Happened in Ayodha Poses Serious Threat to State"]

[Excerpt] [Passage omitted]

[Khashuqi] A feeling of concern for India's Muslims prevails in the Arab world. Do you agree that they are in danger?

[Shekhar] This feeling is certainly justifiable. But the danger emanates from a temporary condition that is embodied in provocations by radical Hindu groups and in the current government's failure to do anything, which is the first time in [India's] history such a thing happens. What pains us most is the death of innocent people and the grave harm done to India's reputation abroad. But we must not be too pessimistic. In a short while, people will regain their sound logic.

Regime's Future

[Khashuqi] Are you worried about the future of India's secular regime?

[Shekhar] I am not worried about the long range. What worries me are the actions of the current government, which has not taken any decisive steps to stop the deterioration at the right time. However, the Indian people are secular by nature. Despite the numerous excesses, the concept of the secular state has endured. We must not ignore the emergence of radical groups that find their opportunity in the fact that the country's current leadership seeks to exploit the situation to serve its interests. But I am certain that these groups will not be able to topple the existing secular regime.

[Khashuqi] But the rightist radical force is developing, and its popularity has grown. This has been demonstrated clearly in the latest elections. Doesn't this contradict your belief that this radicalism is not a "lasting" threat to India's democracy?

[Shekhar] This is true, and the reason is that the ruling Congress Party has become rigid, centralized, and unable to communicate with others and make firm decisions. Thus, other forces find their opportunity to advance. But

it is certain that it has recently become clear to the people that the current situation must not continue, because it will pose a threat to the future of the state. If you examine the opinions expressed in the press, you will find that public opinion has not only been opposed to demolishing the Babri Mosque and to the acts of violence, but it has also criticized the government's failure to act and has demanded that the government step aside.

[Khashuqi] But the various parties are eager to please the radical Hindu tendency in order to gain the votes of Hindus, who have responded positively to radical viewpoints. Are the secular parties partly responsible for the radical tendency's growth?

[Shekhar] This always happens in democratic systems, and India is not immune to these symptoms, which occur all over the world when politicians avoid discussing the people's true issues and cling to sectarian slogans. Failure to meet the people's economic needs motivates one to show interest in religion and caste. Some political parties present religious issues to the people, and other parties call for supporting the caste system. But ultimately, starvation and poverty are the two elements that will determine the people's decision.

Renouncing Violence

[Khashuqi] In your capacity as one of this country's leaders, what would you do to stop continued sectarian conflict and to prevent its transformation into a continuous Hindu struggle against Muslims and vice versa?

[Shekhar] We must urge the people to renounce the policy of violence and radicalism, and the people will quickly understand such a call. In addition, fundamentalism cannot be confronted with a unilateral viewpoint. We must consider the issue in a comprehensive manner. Any policy based on religion in a mixed society like India will lead to hatred and fanaticism. Religion must continue to be just an instrument of communication between man and God, not a means to gain political power in this country.

But regrettably, even secular parties seek to get the minorities' support in the name of religion. This is a misguided policy that may yield temporary benefits, but in the long run it will tear society's fabric.

Ordinarily, minorities feel worried. This condition exists in all parts of the world. The majority must provide minorities with guarantees so that the latter will not feel insecure. However, the Bharatiya Janata has not comprehended this fact.

[Khashuqi] What are the causes of the problem? Were the Muslims intolerant during the era when they ruled India, and did this intolerance leave its impact on the radical Hindu tendency?

[Shekhar] We had better not backtrack in history to talk about the Islamic or Hindu era. There were despotic rulers, regardless of whether they were Muslim or Hindu. Nobody can say that Hindu rulers were tolerant and allowed others to live freely. We say the same thing about

Muslim rulers who were not angels and who did not lead the country compassionately and tolerantly. Power has been misused by rulers. This is why societies move toward parliamentary government.

[Khashuqi] Do you find economic reasons for these sectarian clashes?

[Shekhar] Yes, there are economic reasons. In any society where opportunities are limited and the means of earning a livelihood are narrow, those who attain power want to maintain it. Consequently, only the strong attain the top positions. This has happened with the Muslims, considering that the strong and the capable among them, with some exceptions, went to Pakistan after partition, and the poor stayed here. Poverty exists among the Hindus, as well. But they have those who represent them and give them the hope of an opportunity. However, this hope has not been given to the Muslims, which has caused the Muslim minority to be backward, pressured, and confined to its community, with little education.

Right Climate

[Khashuqi] Do you think that the secular forces that defend the constitution can form a united front in the next elections to stop the advance of the radicals?

[Shekhar] The climate is right for unity, and this may occur in the next elections. But this is not the problem. The so-called secular forces united in the past and gained power, but they were not able to confront the major challenges. Perhaps this is a good idea in the short run, but we need a clear vision of the country's future. It is wrong for a person to demand that the idea of building the Ram Temple (Hindu) be obstructed, while at the same time this person goes to the ulema to request an opinion that supports his position.

We want to defeat Bharatiya Janata, but we do not want it to appear to be the only party that defends Hindus and that, therefore, gets the Hindus' sympathy. To confront Bharatiya Janata, some secular parties resort to dividing society anew by focusing on the "caste" issue. We must keep religion completely clear of politics. There are politicians who exploit religion to gain support.

[Khashuqi] Bharatiya Janata is accused of representing the interests of the higher castes, while it receives, in fact, support from various Hindu castes, including the bottom caste. How do you explain this?

[Shekhar] Religious radicalism is found among all castes, and it affects all castes. This is what happens when one offers people religion only. What is important is that people are diverted from their real problems, such as their livelihood, and are preoccupied with religion and caste.

[Khashuqi] With the emergence of the Hindu radicals and the threat they pose to the Muslims, the latter have become fearful and have begun to abandon the mixed districts to Islamic districts where they feel reassured. Doesn't this pose a new threat to India's unity?

[Shekhar] These have been the most painful developments in a long time, but we must put them in their proper context, namely the central government's abysmal failure. If this government had the resolve and a clear vision, it would have made firm decisions, and the issue would have ended in 24 hours.

[Khashuqi] You have in India a strong army that is capable of intervening to protect Muslims. Would you have used it if you had been the prime minister?

[Shekhar] If I were the prime minister, I would not permit a single person to come out of his home to demonstrate. I am not saying that some unrest would not have developed, but it could have been contained within 24 hours. When I was prime minister for four months, unrest developed in New Delhi, but it was contained. I can withstand anything except massacres and the destruction of property. The police must intervene promptly, even if this leads to some deaths.

[Khashuqi] But the police have actually intervened, and they have killed many people in Bombay, mostly Muslims.

[Shekhar] I cannot determine what happened actually. Both Muslims and Hindus were killed. The mistake is that the police had no specific instructions until the last moment. Minor violations generate big violations. Had destruction of the Babri Mosque been obstructed, the subsequent incidents would not have happened.

Regional Affairs

Pakistan Representation To Be Reduced

93AS0553A Madras THE HINDU in English 11 Jan 93
p 1

[Article by K.K. Katyal]

[Text] New Delhi, Jan 10. In a firm response to the recent steps by Islamabad, India today told Pakistan to cut down the strength of its High Commission in New Delhi by 40—from 150 to 110. Pakistan will be required to withdraw 40 members of the mission by Feb 10.

Last month, Islamabad decided to prune the Indian Consulate in Karachi to less than one-third—from 64 to 20. Before deciding upon the "reciprocal equality," India wanted Pakistan to take into account the implications of its actions. Islamabad, however, chose to stick to its decision, leaving no option to India but to proceed with its action. At one stage, the Pakistan mission's strength was intended to be reduced by 25. The figure was later revised. Pakistan was informed that India would withdraw the "extra" staff in Karachi—44 of them by Jan 31, the deadline set for the purpose.

The decision on the staff reduction was one of the three conveyed by the Joint Secretary in the External Affairs Ministry, Mr. M.K. Bhadrakumar, to the acting Pakistani High Commissioner, Mr. Shahid Malik (the High

Commissioner, Mr. Riaz Khokhar is at preset in Pakistan). The other two decisions related to temporary visa offices and the property in Bombay, described by Pakistan as Jinnah House.

No temporary visa offices: Henceforth, Pakistan will not be allowed to open temporary visa offices in different parts of the country—at facility that was extended to it from time to time—and its mission in New Delhi and the Consulate in Bombay will be required to process the applications. It had come to the Government's notice that the temporary visa offices were used as a pretext to gain access to various areas, some highly sensitive. The facility, it is pointed out, is therefore, proposed to be withdrawn because of the instances of its misuse. The temporary offices had operated at places such as Lucknow, Patna and Hyderabad. The functioning of the office in Hyderabad had especially aroused controversy because of the suspicion that it was used for establishing contacts with the sensitive sections in the south. In the present phase of bilateral relations, India thought it proper to plug all the loopholes.

Request on "Jinnah House" rejected: The request for the use of the property at Mount Pleasant Road, Malabar Hill, Bombay, called Jinnah House for the Consulate or as the residence of the Counsel-General, is a long-standing one. But it was conclusively rejected today.

The decision was considered significant because of Pakistan's frame of mind—behind its request was the association that the former house of the architect of Pakistan and the venue of major activities before the partition was a symbol of the Muslim heritage in India. Today's firm "no" was obviously influenced by the recent Pakistani statements on Ayodhya in which it sought to project itself as the custodian of the interests of the muslim minority here. The rejection of the request thus has a symbolic significance.

It was Pakistan's unilateral interpretation of the mutually agreed (by the Foreign Secretaries in August last year) code of conduct for the treatment of diplomats that led to today's retaliatory action. The code concerned a wide range of items which needed to be taken together but Pakistan chose to pick up one, put its own interpretation on it to justify the heavy cut in the Karachi Consulate.

After conveying the Government's decision to the Pakistani representative, Mr. Bhadrakumar expressed the hope that the unhappy episodes of the recent past would be behind them and that the two sides would resume their normal diplomatic functioning. Mr. Malik's attention was also drawn to the all-time high in the surveillance of the staff of the Indian mission in Islamabad and the Consulate in Karachi.

Analyst Writes on SAARC Summit Postponement
93AS0554A Madras THE HINDU in English 10 Jan 93
p 1

[Article by K.K. Katyal; quotation marks as published]

[Text] New Delhi, Jan 9. The Prime Minister, Mr. P.V. Narasimha Rao, has called off his visit to Dhaka for the January 13-14 SAARC [South Asian Association for Regional Cooperation] summit, which stands postponed indefinitely as a result.

The decision, taken last night after a detailed review of the situation in the region, was informally intimated to all other members of the group this morning. The two Ministers of State for External Affairs, Mr. R.L. Bhatia and Mr. Eduardo Faleiro, were deputed to go to some of the SAARC capitals, as the special envoys of the Prime Minister, to formally convey to the respective heads the factors that had weighed with India.

Twice yesterday, the Cabinet Committee on Political Affairs examined the issue from all conceivable angles—the implications and negative signals of non-participation, on the one hand, and the objective reality in the region, on the other—and finally came to the conclusion that participation in the summit would not serve any purpose.

Mr. Bhatia left for Bangladesh and Nepal and Mr. Faleiro for Sri Lanka, with the Prime Minister's letters. Mr. Faleiro will also go to male in case of the Maldives President, Mr. Ghayoom is back from the Haj, otherwise a senior official, accompanying Mr. Faleiro to Sri Lanka, will make a trip to male. As for Pakistan, the Foreign Secretary, Mr. J.N. Dixit, telephoned his counterpart in Islamabad, Mr. Shahryar Khan, to inform him of India's decision. King Jigme Singye Wangchuck of Bhutan who was here till tow days ago, was fully posted with the developing situation, as a result of his meetings with the Prime Minister and otherwise. When told of the Indian action, he saw no point in the despatch of a special envoy to Thimpu.

Ayodhya fallout: The Prime Minister's messages, it is learnt, narrate the circumstances—the Ayodhya development and its aftermath—because of which India had suggested new dates for the summit—and explain how hope for the situation to stabilize did not materialize, both because of internal factors and external provocations. It impliedly speaks of the stridency of reactions (in the neighborhood) apart from referring to the heightened tension now in some parts of India. In this atmosphere, it would not be realistic to expect a meaningful discussion on regional cooperation, the messages point out in so many words. There are special words of regret to the Bangladesh Prime Minister, Begum Khaleda Zia, for the inconvenience caused to her Government for the second postponement of the summit.

The cancellation of the Dhaka visit, it was clear, was based on the carefully collated information on the recent happenings in Pakistan and Bangladesh as also the political and diplomatic activities there. In the case of Pakistan, what caused concern were the debates and the resolutions of the National Assembly and the Senate, the address of the President, Mr. Ghulam Ishaq Khan, to the Lower House, the statements of the Prime Minister, Mr. Nawaz Sharif, and other Ministers, evidence of official

endorsement of public campaigns against India, attacks on the places of worship of the minorities, the plans to raise the Ayodhya issue at the Senegal meeting of the bureau of the Organization of Islamic Conference (OIC), the government's messages to the Islamic countries to continue protests and agitation against the December 6 demolition, the attack on the Indian Consul-General's house in Karachi and the decision to reduce the strength of the Consulate there.

Of late, Mr. Nawaz Sharif has been talking of his resolve to take the initiative for a revision of the SAARC charter, so as to enable the association to take up bilateral issues. The charter, in its present form, bars discussion of 'contentious' matters (the rationale being that the SAARC would get bogged down in interminable wrangles). Pakistan had vainly tried for changes on these lines in the past but any such move, in the present context, would certainly have acquired an anti-India orientation.

As regards Bangladesh, what attracted special attention here was the total absence of appreciation of the Indian Government's efforts to control a difficult situation, the manner in which the Dhaka-to-Ayodhya 'long march' was allowed to proceed up to a point 17 km from the Indian border, the continued tension after the march fizzled out, especially the threats by the leaders of fundamentalist Muslim organizations to gherao the Prime Minister on his arrival to Dhaka. The Bangladesh government did give suitable assurances in private but there were no public statements to tell the fundamentalists to keep off the internal affairs of India.

Also till yesterday there was no evidence of concrete action on the basis of the assurances while New Delhi's suggestion for a ban on assembly of people under Section 144 around the summit venue and the route to be taken by the Prime Minister evoked a general reply that all precautions would be taken but there was a clear aversion to resorting to 'formal steps.'

This could not have given the required assurance to those responsible for Mr. Rao's security, especially when the memory of the attack on the former Prime Minister, Rajiv Gandhi, at Colombo during inspection of a guard of honor was still fresh. Some of the scenarios in the case of the Prime Minister's visit were considered worrisome—supposing force were to be used to deal with demonstrators during Mr. Rao's presence in Dhaka, the Hindu minority could be exposed to the danger of a backlash.

The Dhaka announcement later in the day that the summit had been postponed indefinitely was on expected lines.

To say that it means a setback to the SAARC is to stress the obvious. But Pakistan's indication that it was not quite interested in the move for the South Asia Preferential Trade Arrangement (SAPTA)—the first meaningful plan by the association—had robbed it, in advance, of whatever little utility could be expected from it.

Statement Issued on Bangladeshis' March

93AS0566A Madras THE HINDU in English 5 Jan 93
p 1

[Article by K. K. Katyal: "Delhi Warns of Firm Action"]

[Text]

Ayodhya Marchers Die in Bangla Firing

New Delhi, Jan. 4. The Indian Government today made known its resolve to take firm steps to prevent illegal entry of Bangladeshi citizens into the country. A strongly-worded statement on the plans of a section of the Bangladeshis for a Dhaka-to-Ayodhya "long march" in protest against the December 6 demolition expressed the hope that the Bangladesh government would promptly and effectively discharge its responsibility of preventing any illegal border crossing.

(UNI from Dhaka quoting other reports said Bangladesh police and paramilitary forces stopped the "long march" at Laujani about 30 km from the International border. At least five persons were killed when police opened fire on the marchers near Jhekargachha in Jessore, 16 km from the border, the independent UNB news agency said).

The Bangladesh High Commissioner here, Mr. Farooq Sobhan, was called to the Foreign Office today and told of the Government's concern over the widely-publicised and openly-proclaimed plans for illegal entry into India. Mr. Farooq gave the assurance that his Government would take all steps to prevent any violation of the international border. The High Commissioner, it was clear, was conscious of Dhaka's responsibilities as also of the negative potential of the so-called march.

The Indian government's statement was as follows: "The move to organise a long march to Ayodhya by some Bangladeshis is an unacceptable interference in our internal affairs. Whatever the emotional motivations behind it, it is bound to heighten tensions all around.

"It is clearly the responsibility of the Government of Bangladesh to prevent any illegal border crossing by Bangladeshi citizens. We hope it will discharge this responsibility promptly and effectively.

"We are closely monitoring the situation. Firm action will be taken by our border security authorities to prevent illegal entry of Bangladeshi citizens into India. There is no question of permitting any violation of our territory and laws by foreign citizens."

The BJP [Bharatiya Janata Party], as was evident from the statement of its vice-president, Mr. S. S. Bhandari, called for tough measures. The Indian Government, he said noting the gathering of 40,000 people in Dhaka for the march, "must not only stop this blatant infiltration, but should also pack off twice that many of the Bangladeshi infiltrators already in India, as a first instalment to put some sense in Dhaka." The people who had destroyed scores of temples in Bangladesh, according to him, "have no right to show their face to India."

Visiting Bhutan King Interviewed, Statement Issued**6 Jan Interview***93AS0555A Madras THE HINDU in English 7 Jan 93 p 1*

[Article by K.K. Katyal]

[Text] New Delhi, Jan 6. King Jigme Singye Wangchuk of Bhutan is emphatic that other countries should not interfere in the Ayodhya issue, an internal matter of India which is to be handled by the Indian Government and people. The Prime Minister, Mr. P.V. Narasimha Rao, according to him, is doing everything to resolve this complex problem and should be extended full support and assistance.

In an interview today, King Wangchuk, now here, dwelt on the Ayodhya-related developments as also the attitude and approach, to be adopted by other countries. What he said was significant in the context of the reactions in Pakistan and Bangladesh. Though he did not give—understandably—a pinpointed reply to a question on the unhelpful attitude of these two countries, he left little doubt about his disapproval of external interference which only led to a deterioration of the situation. As a friend and neighbor of India, I believe that the Ayodhya problem should be best left to the Prime Minister, Government and people of India and there should be no external interference,—he repeated these sentiments for emphasis.

Visit to support Rao: He had come here, said the King, not to discuss any problem—"because there are no problems in our relations"—but to express complete solidarity with and support to Mr. Rao and the Indian Government in the present difficult period. There was some concern initially—because of the communal flare-up after the demolition in Ayodhya—but "we were gratified that Mr. Rao handled the situation judiciously and defused it to a large extent." Striking a hopeful note, he said whenever India faced a crisis it emerged stronger and more mature as was testified by several cases in the last 4-1/2 decades.

Bhutan, he said, had an excellent relationship with India and that had prompted him to come to affirm solidarity and friendship with the Prime Minister, the Government and the people here. He was confident the "problem would be overcome under Mr. Narasimha Rao's leadership."

His visit had been highly successful, he said, adding: "In times of trouble India can count on Bhutan."

He was euphoric about the course of the bilateral ties and described the Memorandum of Understanding signed during his current visit, for joint cooperation in one of the largest multi-purpose dam projects of Asia as a clear reflection of Bhutan's complete trust and confidence in India. Unlike some neighboring countries which had reservations about joint tapping of the hydro-power potential, Bhutan, he said, was keen on cooperation in such projects. The massive project (the subject of the

MoU) is to be built over the Sunkosh river in Bhutan and will generate 1525 MW and irrigate five lakh hectares of land in West Bengal. It will provide major benefits to both the countries, more to India, he said.

Terrorist menace: Bhutan, he said in reply to a question, faced a serious problem in the southern region where a large number of people had been killed by terrorists, houses looted and government installations destroyed, and there had been several cases of kidnapping. The Government had taken all possible measures but the security forces faced difficulties because of the mountainous terrain and contiguity with the border.

As for the genesis of the problem, he said the Nepalese minority, most of whose members were not Bhutanese nationals, sought to play a major role politically, economically and socially and wanted to turn Bhutan into a Nepalese State. "We are fighting for our survival. We do not want to become a minority in our own land." He hoped to discuss this matter with the Nepalese Prime Minister, Mr. G.P. Koirala at the time of the SAARC Summit later this month in the hope that a solution could be found. A lot depended on the stand of the Nepalese, he said, adding they wanted a Nepalese federation.

There could be no dialogue with the terrorist organizations, according to the King, as such a course would not be acceptable to the Bhutanese people in view of large scale killings by the terrorists and their attempts to cripple the economy, causing hardship and suffering to the people.

Report on Joint Statement*93AS0555B Bombay THE TIMES OF INDIA in English 8 Jan 93 p 7*

[Text] New Delhi, January 7 (PTI). India and Bhutan today expressed their determination to strengthen their mutually beneficial ties, particularly in the field of hydel power generation.

A joint statement issued here at the conclusion of the four-day state visit of the King of Bhutan, Jigme Singye Wangchuk, noted the memorandum of understanding (MoU) for the preparation of a detailed report for the Sankosh multi-purpose project as a "landmark" in the development of closer bilateral economic cooperation.

The 1,520 mw Sankosh hydel power project, which is expected to be of a major benefit to both the countries, would be one of the ten such large projects in Asia.

In an informal chat with newsmen at the Rashtrapati Bhavan before leaving for Thimpu, the king described the Sankosh project as a "friendship" project and said the MoU for this purpose showed the "complete trust and friendship" Bhutan had with India. He said there was "no problem issue" between the two neighboring countries.

The talks between the Bhutanese king and Mr. P.V. Narasimha Rao, covering the situation in the region and

the recent developments in international relations, were marked by a close identity of views and perceptions, the statement said.

The sides also agreed to begin work shortly on the Kurichu hydel project in eastern Bhutan. They noted that the preparation of the detailed project reports for three other major hydro-electric projects in Bhutan was proceeding on schedule.

Internal Affairs

PTI Interviews Former Prime Minister Singh

93AS0564A Bombay THE TIMES OF INDIA in English 6 Jan 93 p 7

[Article: "Congress, BJP Will Split, Says V.P."]

[Text] New Delhi, Jan. 5 (PTI). The Janata Dal [JD] leader, Mr. V. P. Singh, today categorically ruled out a tie-up with Congress on an anti-BJP [Bharatiya Janata Party] plank, accusing the two parties of being "two sides of the same coin."

In the course of a wide-ranging interview with PTI, the former prime minister said he did not foresee an early election to the Lok Sabha because the Congress would manage to survive for the time being with the help of Mr. Ajit Singh's JD (A) and some other small groups.

"Though Mr. Rao has retained his government, the authority of his government has been undermined (after the Ayodhya events)," he said.

While he did not visualise a realignment of political forces, Mr. Singh said that both the Congress and the BJP would split under pressure from "social forces" unleashed by his party's campaign for social justice.

Mr. Singh talked of his party's strategy to counter the communal forces, the deteriorating economy and the need for sharing more power with the deprived sections to ensure stability.

Referring to the Congress and the BJP, Mr. Singh said there is really nothing to choose between the two. While one puts on a facade of secularism, the other puts on the facade of religion. But both are, in effect, anti-social justice forces.

"Mandalisation has taken place in the polity and any party resisting it will have to split. The Congress will also fall a victim to it," he said.

Rejecting the Prime Minister's call to secular parties for a joint fight against communalism, Mr. Singh said the just-concluded two-day national executive of the party has made it amply clear that the Janata Dal would have nothing to do with the Congress and that its alliance with the left parties and the national front constituents was "very strong."

"Our commitment is to the country and not to any government," Mr. Singh said when asked about Mr. Rao's appeal and added his party had given its support to the government in the NIC [expansion not given] and

in Parliament on the Ayodhya issue and refused to vote with the BJP on the non-confidence motion despite the "role" of the Congress in the last two splits in the JD.

"This does not make any change really," he said when asked if the Janata Dal would consider a tie-up if there was a change in the Congress leadership.

Asked about the demand in the national executive for reviving the "1989 spirit" by roping in all the "elements" that formed the fledgling Janata Dal, Mr. Singh preferred to be non-committal, saying he would go by the party's decision in the matter.

He reacted in a similar fashion when asked if he was inclined to take over as the party president in view of the prevailing political situation, as was demanded by some senior leaders in the executive.

Mr. Singh dismissed a charge against his party that it was blatantly pro-Muslim and was trying now to underplay that image saying, "It is not a question of being pro-Muslim. We are protecting the republic, the authority of the state and providing justice. It is a question of rule of law and authority."

Denying that his party was following a policy of appeasement towards the minorities, he countered "If we say no to violation of the supreme court and want to protect the constitution as we have an oath to protect it, how can you call it appeasement?"

Outlining his party's strategy to fight the communal forces, Mr. Singh said it would be a three-pronged action plan by mainly raising the burning issues of "honour and hunger" and social justice affecting the poor so that non-issues were sidelined.

He said the first point of the action plan would be consolidation of the 11-party secular front for national unity. Collection of signatures on unity pledge and rallies throughout the country would mark the campaign of the front, he said.

Secondly, the Janata Dal would revive the Mandal issue through meetings, rasta-roko programmes and later a "Delhi chalo" march to the President demanding implementation of the supreme court order in the Mandal case and an immediate legislation to fill the backlog in the scheduled castes-scheduled tribes jobs quota.

All MPs [Member of Parliament] and MLAs [Member of Legislative Assembly] candidates who lost in the past would be invited to a convention to be held in the capital on the issue on April 14, the birthday of the late Dr. B. R. Ambedkar.

This, Mr. Singh said, would be followed by a southern states' social justice conference in the beginning of March.

And thirdly, the party in association with the national front constituents and left parties would intensify its agitation for reduction of fertiliser prices.

"In our understanding, the struggles of hunger and honour and social justice alone can contain communalism," he said.

Launching a scathing attack on the BJP, he said it was neither a political nor a religious movement. "It is against 80 per cent of Hindu society. I call it anti-Hindu as it has done nothing or does not speak for backwards and Dalits who constitute 80 per cent of Hindu society," he added.

He disagreed with a view that the BJP would sweep the elections following the recent events saying "it's only a temporary phase. The country is essentially secular."

Mr. Singh said the BJP stoked the mandir issue when the national front government decided to implement the Mandal commission recommendations and revived it again after the November 16 supreme court judgment in the mandal case.

Mr. Singh said the policy of secularism followed by the country was a product of the ethos of the independence struggle and that was why all the institutions had been secular in attitude.

"But the BJP had a mindset that was anti-Muslim and was in clash with all the products of the freedom movement. The party is upper caste in orientation and their goal is ultimately a theocratic state which will be autocratic in character," he claimed.

The former prime minister said the "ruling elite" including the decision-making apparatus in all spheres of life was comfortable with the BJP and the Congress because their interests were not under threat from these parties.

Mr. Singh said, however, it was long drawn-out battle his party was ready to fight in its quest for social justice to the deprived sections of society and was not bothered about elections and governments that might come and go.

Detailing the farmer-related issues the party would take up, Mr. Singh said in Maharashtra the agitation would be for better prices for cotton and jowar while in Uttar Pradesh and Tamil Nadu it would be for sugarcane prices, in Madhya Pradesh for paddy and in Punjab and Haryana for movement of foodgrains.

Referring to the current economic situation, Mr. Singh said his main worry now was how the country would repay loans received from international institutions.

"Industry is not picking up, trade is not flourishing. We are not generating exports and earning enough of foreign exchange to repay," he said, and added the key agriculture sector was stagnant in which he feared a shortfall of foodgrains production.

Adding to this, he said, the international economy was not buoyant and inflows of foreign investment had not materialised yet.

The loan instalments would be due for repaying shortly and the present leadership would have to go for rescheduling, he feared.

He also said the government was following an incoherent policy of bringing down the custom rates but increasing the excise duties which again hit the industry severely.

Banned Islamic Party Raided, Police Finds Told

93AS0471A Bombay THE SUNDAY TIMES OF INDIA in English 20 Dec 92 pp 1, 20

[Article by V.R. Mani, THE TIMES OF INDIA News Service]

[Text] Quilon, December 19. It is a most unlikely surrounding for a militant organization; the lush green landscape, the chirping of birds and the merry dance of tall coconut trees to the tune of the wind. Yet, it was in such a placid surrounding at Mynagapally, 30 km north of here, that the banned Islamic Sevak Sangh [ISS] had had its headquarters.

This correspondent who visited the headquarters felt that the ban had not come a day too soon. Construction work which had been going on at hectic pace has come to a halt now. The nearly 13-foot-high walls with provision for barbed wires and watch towers on 2.5 acres give the impression that what was being constructed was a fortress. Well-placed police sources said the Rs [Rupess] 6.5-crore contract for constructing the complex, complete with a swimming pool, mosque, Arabic college and an orphanage in 30 months had been given to a Tamil Nadu builder.

When the police raided the place immediately after the Central ban came into force, it found a few packets of condoms, perfume sprays, imported bathing soaps, a double-bed, a pistol, some live cartridges and a powerful metal detector in the ISS chief, Mr. Abdul Nassar Madani's personal room. Incidentally, Mr Madani is a divorcee.

Thousands of letters, mostly from the Gulf, have also been seized by the police along with some diaries and documents. The room has now been sealed. The police is, however, yet to seize the posse of cars, including an air-conditioned one, that the ISS is said to have owned.

On the rear side of Mr. Madani's room were found a carton of aphrodisiacs manufactured by an Indian firm and a wrapper of Yardley rose soap. A few pairs of military-type black shoes were lying in front of the room as a mute testimony to Mr. Madani's personal guards called "The Black Cat Commandos".

Is a small pit on the rear side, some documents had been burnt. It was apparently a job done in a hurry and some of the half-burnt documents were unused receipt books. Pieces of paper are also found floating in the well in the complex.

Scores of enrolment forms also lay scattered all over the place. In front of the "Ethinkana" (orphanage), a small building, hundreds of small cash-collection boxes were

strewn. Bags of cement and barbed wires are also stacked in the patio of the orphanage. In the kitchen adjoining Mr. Madani's personal room bags of fine-quality rice were stacked some of them opened and rice spilling on the floor.

During the raid, the police also stumbled upon an explosives pit carefully hidden by a cement slab near the toilet. Two kg of explosives were seized. Even now the pit smells of the explosive powder.

A talk with the locals reveals that till about six month ago there was little construction activity on the site.

The activity gained momentum only in the last few months and especially after Mr. Madani lost a leg in a bomb attack on August 6 outside the orphanage started about three years ago. The land, according to police records, is in the name of Mr. Madani's father. And most of it was bought only recently from some Christians, who are said to have been scared of living there.

The ISS was apparently a law unto itself in the area. The local people, especially non-Muslims, were not allowed to walk freely through the road in front of the orphanage after 8 p.m. Some locals said they were stopped by the "commandos" of "Ustad", as Mr. Madani is called by his followers, were frisked. Even women were not spared.

There was little doubt that Mr. Madani was flush with funds. The police and intelligence sources say that his main source of funds was the Gulf Muslim Malayalees. While some, according to the sources, sent in money drafts most others handed over cash personally. Then there are people who have sent in money for "services received" like securing a visa to the Gulf, begetting a male child, curing madness and certain other ailments.

Special prayers were also held on Thursdays when rich Muslims from even Tamil Nadu flocked to Mr. Madani. The three frozen bank accounts of Mr. Madani (the accounts are in his and his relatives names) has very little balance. However, the police estimate the money at Mr Madani's disposal be at least Rs 3.5 crores.

For an organization which was barely two years old the funds that it had reportedly collected is amazing. It is apparent that the orphanage was being used as a cover for ISS activities and collection of funds. That Mr. Madani portrayed himself as a religious preacher and worker of miracles also helped in attracting riches.

However, probably because of a dispute over the vast funds one of Mr. Madani's trusted lieutenants and Quilon district secretary, Mr. Vavvakkavu Sulaiman, fell out and subsequently committed suicide. There have been letters of complaints against some ISS leaders from its own ranks revealing that it was not a cohesive unit.

While the letters seized by the police indicate there are many admirers. But there are also not an insignificant number who have lost their trust in Mr. Madani. A letter from Jeddah, for instance, asks Mr. Madani why he could not save his own leg and wonders how he could save the Muslim community. Another letter tells him

that though he had promised the letter-writer would get a male child it had turned out to be a female again. It also reminds him about the Rs 6,000 he (Mr. Madani) had been given "for blessing" the writer with a boy.

That Mr. Madani chose to disband the ISS within hours of the Central ban and his going into hiding has the potential to tarnish his image. After all, he had left his followers in the lurch.

Among the documents seized by the police a circular sent out from the ISS headquarters to all its units said the cadres would be given martial training along with food and that they should be ready to sacrifice their lives for the "Muslim cause". Towards this end, a person discharged from the CRPF had been giving them armed combat training at various camps. He was, according to the police, being paid Rs 200 a day. The person is now absconding and the police are in search of him.

Mr. Madani himself had told this correspondent a few months ago that for the present only martial training would be given but did not rule out arms training in future. The police suspect that Mr. Madani had in his possession sophisticated weapons and was busy procuring explosives from Tamil Nadu. A few days back a huge quantity of gelatine sticks, detonators and fuse had been seized from a house on the Kerala-Tamil Nadu border and three ISS activists were arrested. One of the letters seized also points to a Naxalite connection.

If the ban had not come about now it would have needed a veritable "Bluestar" type operation to enter the ISS headquarters.

More Interaction Between Rao, Sharma Noted

93AS0548A Madras THE HINDU in English 14 Jan 93
p 9

[Article by K.K. Katyal]

[Text] New Delhi, Jan 13. A new pattern of interaction is discernible at the top, with the sudden increase in the frequency of meetings between the President, Dr. S.D. Sharma, and the Prime Minister, Mr. P.V. Narasimha Rao. The compulsion of the Ayodhya crisis may have provided the impetus, but it does not appear to be a passing phenomenon. A new equation, it is clear, has come to stay.

Apart from the frequency, it is the intensity of their discussions that has attracted notice. It is not the official practice to take the Press or the public into confidence on what transpires between the top leaders. For years the Rashtrapati Bhavan spokesmen used to describe the meetings between the President and the Prime Minister as routine even when they were known to have discussed major crucial issues. A similar reticence was the order of the day on other occasions. However, at the time of the formation of governments in abnormal situations (in 1979, after the collapse of the Janata Party Government, in 1989, when the V.P. Singh Government assumed office, and in 1991 when Mr. Chandra Shekhar became the Prime Minister), press releases gave details of the

talks between the President of the day and the leaders of political parties and the reasons for the former's decision.

The spokesman now is forthcoming—to the extent the subject of discussion is indicated impliedly if not explicitly. Hence it is possible to have some idea of what Dr. Sharma and Mr. Rao have been talking about.

Advisory role: That the President, though a constitutional figurehead, has been active in his advisory role is evident. At one stage—when his anguish was acute—he, in a rare action at his level, went public. That was on December 6, 1992, the black Sunday. Deploring in the strongest possible words the vandalism at Ayodhya, he “requested the Prime Minister to initiate appropriate, expeditious steps to uphold the rule of law, the maintenance of public order and protection of all low-abiding citizens.”

Between December 27, last when the Government announced the Ayodhya package (envisaging acquisition of a vast area of land near the site of the demolished structure, and a reference to the Supreme Court for its opinion whether a temple was there before the construction of a mosque) and January 7, when the ordinance on the subject was promulgated, the tempo of interaction picked up. On January 5, the Prime Minister went to the Rashtrapati Bhavan, at 10:30 p.m. with the draft ordinance, approved by the Cabinet minutes earlier, to get the President's signature. Dr. Sharma, however, preferred to hasten slowly, seeking clarifications on points of law and procedure. He suggested that the opinion of non-government legal experts be sought—and, as a result, the Attorney General came into the picture. Dr. Sharma wanted to be clear about the relative implications of approaching the Supreme Court under Article 143 of the Constitution (for opinion) and Article 138 (enlargement of the apex court's jurisdiction).

The whole of the next day was taken up by the explanatory exercise—the Prime Minister, along with senior officials, was with the President, offering clarifications sought by Dr. Sharma. At times when the discussions centered on ticklish legal issues. Mr. Rao would turn to the official experts and ask them to provide the necessary explanations.

Earlier, when the Government made up its mind to dismiss the three BJP-ruled States of Madhya Pradesh, Rajasthan and Himachal Pradesh, the President signed the proclamation only after the reports from the Governors had been received.

The delay in the promulgation of the ordinance on the Ayodhya package, inordinate as it was, led to wild conjectures. Some said the President was being obstructive. According to others, he was for major changes. The fact that the package, as incorporated in the ordinance, was the same as was announced by the Government 11 days earlier did not support those lines of speculation. However, it was clear, the President wanted the measures, mooted by the Government, to be legally unassailable. The discussion process did not end

with the promulgation of the ordinance—and on the following day the Prime Minister spent some time at the Rashtrapati Bhavan acquainting the President with the follow-up plans.

The latest flare-up in Bombay and Ahmedabad could not but have figured at their meeting yesterday. They were together for 90 minutes and surely the weather was not what they talked about.

The mode of interaction at the highest level varied with the incumbents of the two top positions. Soon after the Constitution came into force in 1950, the first President, Dr. Rajendra Prasad, and the first Prime Minister, Jawaharlal Nehru, went through a tortuous process as they sought to evolve conventions, in keeping with not only the letter of the Constitution, but also its spirit. Both were the veterans of the freedom struggle and first-rung leaders in their own right. It was not unnatural that they clashed while bringing to bear their independence of judgement on intricate constitutional issues governing their relationship. The clash, at the top, as is known, took a ferocious form when Rajiv Gandhi as Prime Minister, first, did not pay the required attention to the President of the day, Mr. Zail Singh, and later questioned the latter's interpretation of the constitutional provisions. The fear of dismissal on the part of Rajiv Gandhi reflected the extent of their estrangement. The other extreme was represented by the absence of strains in the relationship of the last President, Mr. R. Venkataraman, with four prime ministers—a record number—during his tenure.

Papers Report on Bombay Riots, Rao Visit

Rao 15 Jan Press Conference

93AS0549A Bombay THE TIMES OF INDIA
in English 16 Jan 93 pp 1, 13

[Quotation marks as published]

[Text] Bombay, January 15. The Prime Minister, Mr. P.V. Narasimha Rao, today recommended that a judicial inquiry be held into the January 6 communal riots in the city, assisted by the CBI, to identify vested interests responsible for fomenting trouble.

Addressing a crowded press conference at Raj Bhavan after driving past riot-affected areas, Mr. Rao ruled out any connection between the December 6 post-Ayodhya trouble and the recent communal carnage in the city which claimed over 500 lives.

Replying to a spate of questions on the failure of the state government machinery and inadequate measures to check the spread of violence, Mr. Rao said, “After the talks I had with delegations which called on me at Raj Bhavan and concerned officials, it appears that several reasons and vested interests are behind the trouble.”

"There is a need to go deep into these causes to avoid recurrence of such incidents here as well as other parts of the country," he said.

Mr. Rao announced Rs [Rupees] 1 crore as assistance for riot-affected people in the city from the Prime Ministerfund.

"No one should leave the city. The government, political parties, social organizations should see to it that mass exodus from the city is stopped immediately," Mr. Rao said.

"The Union government will give all assistance to the state government for rehabilitating riot-affected people. The first job is to provide shelter to those whose houses and hutments were burnt. The part assistance from the PM's fund should be utilized for providing shelter," he said.

"The package being worked out by the state government aims at rehabilitating riot-affected people and providing them assistance to restart their daily routine," Mr. Rao added.

He said the banking department has been instructed to make provisions for providing soft-term loans. Modalities for raising funds for repairing places of worship damaged during the riots is also being worked out.

The next of kin of the victims who died in riots will be given Rs 2 lakhs.

Expressing grave concern over the communal virus that had affected even the hitherto untouched rural parts of the country, Mr. Rao observed, "This is a great challenge and we will accept it. We have passed through many critical phases—law and order situations, insurgency, militants and now communal tension. We will maintain and fight for secularism; if we give up secularism under pressure from communal forces, then the country will be divided."

Mr. Rao declined to answer any question on the demand made by political parties to dismiss the Sudhakar Rao Naik government. "Our first priority is to restore law and order and create confidence among riot-affected people. I would not like to reply to questions on Congress politics or center-state relations or pinpoint responsibility."

When his attention was drawn to the writings in the Shiv Sena newspaper Saamna and acceptance of responsibility for riots by the Sena leaders, Mr. Rao, said, "There have been lot of speeches and writings in various newspapers reaching various parts of the country. The government has taken note of these writings and utterances which are not helpful in maintaining law and order and communal harmony. The state government will deal with such provocative writings and utterances."

Assuring all assistance from the Union government to the state government in dealing with the law and other situation and rehabilitation work to be undertaken soon, Mr. Rao said, "The army will remain as long as the state government need its presence. I hope that since the city is returning to normal, the army's presence will not be required for a long time."

Replying to questions, Mr. Rao said, "I had asked the defence minister, Mr. Sharad Pawar, to fly down to the city to assist the state government in coordinating action for restoring normalcy".

He refuted charges of confusion and confrontation between the state administration and army. "Mr. Pawar was in touch with me every hour throughout the trouble days. There was good coordination in the various steps taken by the state government."

Dwelling at length on communal violence in the city, he said, "we must learn from what happened in the city. we must go deep into the reasons and forces responsible for Bombay riots, which has damaged the secular fabric of our society. There is no question of appeasement of one community. It is benevolence on the part of elder brother towards younger brother."

"If we fail to remove this communal virus and give up secularism, the country will break and I am convinced about this," he observed.

He made a fresh appeal to secular forces in the country to forget their differences and join hands to fight communal elements fomenting trouble in the country. "I had requested all parties to desist from raising contentious issues dividing the country at least for the next three years. But the appeal has not evoked a positive response as is evident from the recent developments," he added.

"I am ready to listen and discuss with anyone who has suggestions to deal with the communal situation. The media can play a significant role in bringing back the secular mind-set very essential for survival of the country."

He recalled how things were bad in Punjab when things were looked at from the Hindu-Sikh angle and improved when people began perceiving things as a problem facing the state and the country.

Replying to question on allegation of police partiality, he said, "I also received such complaints. It was decided during Mrs. Indira Gandhi's tenure that the police should be composite force with adequate representation of minorities. It has been implemented perfectly in certain states while in certain states it has not been implemented fully. I will get information about Maharashtra."

Mr. Rao also declined to answer questions regarding the removal of Mr. Naik from the chief ministership, or the imposition of president's rule in the state with a request, "Please do not ask such questions at this juncture."

Mr. Rao was accompanied by his political adviser, Mr. Jitendra Prasad and the AICC general secretary in charge of Maharashtra, Mr. Janardhan Poojary. The Union home secretary, Mr. Madhav Godbole was also present.

HINDU Correspondent's Report

93AS0549B Madras THE HINDU in English 16 Jan 93
p 1

[Quotation marks as published]

[Text] Bombay, Jan. 15. The Prime Minister, Mr. P.V. Narasimha Rao, today virtually absolved the Sudhakarrao Naik Government of any failure in tackling the latest law and order problems but said that "a whole set of forces of all kinds" were at play and the riots had "no direct bearing" on the December 6 violence.

However, he had offered to the State Government a full Central Bureau of Investigation probe which in turn can assist a full-fledged judicial inquiry under the Commissions of Inquiry Act. "I am going to request the State Government for a detailed judicial inquiry," Mr. Narasimha Rao told a press conference here.

'Deep Causes'

There were "deep causes here, not one force. Delegations which met me today have spoken of vested interests and I see how difficult it is. It is a complicated problem," he said. Refuting that there was dialogue of the deaf going on about what should be done he said, "What should have been done has been done but perhaps not fully. But there has been some good effort."

With this, he seemed to veer around to the analysis of the riots and its complex causes that the Chief Minister, Mr. Sudhakarrao Naik has offered and not the Defence Minister, Mr. Sharad Pawar's assertion that it was a carryover of the violence that started after the demolition of the disputed structure at Ayodhya. However, he found Mr. Pawar's effort here, at his behest, "useful" in coordinating the Army and the police.

The Army was brought to Bombay primarily to assist the Government, supplement the efforts of the State Government and there were persistent requests for the Army deployment. When they were sent "there were complaints that they were not acting, that they were conducting only flag marches and miscreants returned after it passed. I thought it necessary for a coordination between the Army and police and the Defence Minister sorted them out."

Would he change the Government? Would he sack the Chief Minister? Would there be a President's Rule? To these questions, he pleaded: "Don't ask that question. It has ramifications." Mr. Nani Palkhiwala met him and "argued ably" for partial emergency in Bombay "but it was not a good case." Neither was a link between the crisis in Bombay and intra-party quarrels.

He characteristically fudged a bit, when specifically asked if he closed "this option" by saying that "the Constitution has not been closed." It was not a question of "treating Maharashtra differently" when the BJP Governments were sacked for failure of law and order, "It is a different situation with deep causes here."

The Prime Minister set relief and rehabilitation as the first priority for the Maharashtra Government pointing

out that he would himself monitor its progress from time to time. He asked the Government to persuade the people, who were fleeing "out of sheer helplessness and feeling that there is no one to look after," to stay. This would be a test case for the Government. There should be no exodus allowed."

Mr. Narasimha Rao was on a day's visit to violence-affected areas of Bombay and said that he dropped in at only one hospital and talked to the victims and did not get down anywhere because he "had to conform to security people." "Let to myself, I would have got down but rightly or wrongly, I have some limitations." He wanted to come here three days back but was told that "today was the earliest" he was allowed to come.

He hoped that what happened in Bombay was a temporary phase though it had "disfigured Bombay's face" and that sanity would return.

In the hospital he saw the human side of a Muslim patient next to a Hindu patient and said that "others were brutes. It showed how when humanity left a person, he becomes a beast." It reminded him of the days of Partition.

"When I came to Bombay this morning, I found something missing. It was not the same Bombay I knew so well. I have been told that there has been some steady improvement from day to day but," the Prime Minister said, "in spite of this, I have this feeling that something discreditable has happened here. The fair name of this cosmopolitan, bustling, smiling, active city has been besmirched and it will take some time before Bombay is again what it always has been."

'To Overcome Setback'

Given the setbacks due to communal violence that in turn had created "trepidation" in overseas investors, the Prime Minister has "decided to redouble efforts at economic recovery and deal with obstacles on the way in manner in which they should be dealt with."

"I feel challenged and we will go ahead with the programme," he said. The intent was to treat the violence and its aftermath as a "temporary setback" and in the "next budget, come up with a more detailed programme that will have an impact on the lives of the people."

It would contain a package that would both aim at "alleviation of poverty and a renewed attempt to build the economy. We will give it more impetus this time."

He asserted that what had happened in the past one and a half month had "eroded to some extent" what had been achieved in integrating the Indian economy with world economy—in some areas, with "signal success"—in the past one and a half years.

The country had "passed through such crisis before and come out stronger and unscathed." But there "was some feeling of trepidation, a feeling that something had gone wrong in the country." This, Mr. Narasimha Rao would strive to neutralize.

He recalled his futile bid to secure the consent of all parties to the proposal of keeping all contentious issues aside. "I had suggested this moratorium on issues that divide the nation but I think these people have returned to the issues with a vengeance as if those who do this will never get a chance again."

Not only would the Government set up a fund to repair the damaged or demolished places of worship during the riots, but "deal with this challenge." "We see it as a precursor to other challenges and we will go to the root of this. We will accept them and will overcome them," Mr. Rao asserted.

But there was yet another issue that worried him, he said, when asked if he would ensure the arrest of Mr. Bal Thackeray. Shiv Sena chief, for his writings and tacit admission of involvement in the riots. The writings and utterances of leaders were not helpful in keeping peace and the time has come to take stock of this. It has not received enough attention and needs to be taken up."

The former Prime Minister, Mr. V.P. Singh, leading a band of his supporters, today began an indefinite fast at 'Hutatma Chowk' here, describing his act as an appeal for peace in the riot-ravaged city.

'Foreign Hand' Alleged

93AS0549C Calcutta THE TELEGRAPH in English
14 Jan 93 p 4

[Text] New Delhi, Jan. 13: The Congress(I) today said there is evidence to indicate the involvement of "foreign interests" in the Bombay riots. The party has asked the Maharashtra government to investigate this angle.

The AICC [All India Congress Committee] spokesman, Mr. V.N. Gadgil, who made this revelation, did not specify what he meant by "foreign interests." Asked whether he was pointing a finger at Pakistan, he merely said: "Your guess is as good as mine."

Mr. Gadgil, however, pointed out that the former Maharashtra Governor, Mr. C. Subramaniam, had also spoken about the involvement of "foreign agencies" in the recent spell of violence in Bombay soon after his resignation.

He said an investigation into the involvement of "foreign interests" was necessary because one of the factors that aggravated the situation was the use of AK-47s and other smuggled arms. Snipers had used sophisticated arms to fire from rooftops. Even the Army columns were fired at. This was something unprecedented he said.

—In Bhopal, the Union minister of state for communications, Mr. Rajesh Pilot, also said outsiders appeared to have a major hand in the violence in Bombay, adds PTI.

—In an informal chat with reporters at the Bairagarh airport here, Mr. Pilot said the situation in Bombay was a matter of concern, and that instead of talking of change of leadership in Maharashtra, attempts should be made to bring normalcy.

—Seizure of some sophisticated and foreign-made weapons clearly showed outsiders were involved in the riots, the minister said.

—Mr. Pilot said it was not possible for Army personnel to patrol the whole of Bombay simultaneously and added that according to information available with him, antisocials indulged in violence where the Army was not on patrol.

—On the Congress(I) MP, Mr. Sunil Dutt's decision to resign from the Lok Sabha, Mr. Pilot refused to comment.

Riot Toll Coverup

93AS0549D Calcutta THE TELEGRAPH in English
14 Jan 93 p 4

[Article by Sutapa Mukherjee]

[Text] Bombay, Jan. 13: The Bombay Police have been lying about the toll in the current bout of violence in the city and questions are being raised on whether a coverup operation is on.

The Bombay police commissioner, Mr. S.K. Bapat, put the number of dead in incidents since January 6 at 163 this evening but inquiries reveal that more than 400 have been killed over the past week.

The three coroners of the city—from J.J. Cooper and Rajawadi hospitals—have reported handling 388 riot-death cases. Besides, 18 dead bodies were autopsied at the Shatabdi, Kem, G.T. and Sion hospitals. That adds up to a toll of 406.

The Bombay police could be unaware of these death figures as all the bodies that go through the coroners' offices are referred to them by the police. The police surgeon at J.J. Hospital, Mr. J.V. Uppe, told THE TELEGRAPH today, "The police cannot be ignorant about these dead bodies because they send them to the coroners."

The breakup of bodies received by the three coroner's offices is as follows:

—J.J. Hospital (177). Coroner's name: V.V. Bapat.

—Cooper Hospital (126). Coroner's name: D.S. Patil.

—Rajawadi Hospital (85). Coroner's name: V.K. Verma.

The other deaths were reported from Shatabdi Hospital (three), Sion Hospital (five), Kem Hospital (four and G.T. Hospital, Colaba (six).

The Bombay police commissioner, however, declined to confirm these figures and stuck by his toll, saying, "I am giving you reports that I have. A police team is collecting information on this."

How the police commissioner can be unaware of the toll given out by the coroners themselves is a mystery.

The police surgeon, Mr. J.V. Uppe, who has been supervising autopsy operations at the J.J. Hospital with a team of six doctors said he had never experienced such a

heavy work load as in the past few days and added that he had requested other hospitals to share the work.

The J.J. Hospital morgue can hold 50 bodies but there are 140 of them lying there. Many of them have had to be kept in the open and hospital authorities have been spraying formalin to ensure minimum decomposition.

Dr. Uppe said most deaths had been caused by multiple stab wounds in the abdomen and in many cases victims had been beaten up with blunt instruments before being repeatedly stabbed and then torched. Significantly, there are very few cases of deaths due to firearm injuries as compared to the December round of riots. The multi-stab deaths, Dr. Uppe said, proved that mob psychology had been at work.

Dr. Uppe has been working with a team of six doctors 12 hours a day and said on an average six to eight bodies were being autopsied at J.J. Hospital everyday. "We have asked for more preservation and sanitation facilities because we cannot handle this inflow of dead bodies. The stench is too much," Dr. Uppe said.

There are more indications, meanwhile, that the police commissioner, Mr. Bapat, has been hiding the truth about aspects of the Bombay violence. Yesterday, for instance, he denied that Anil Parab (associated with Dawood Ibrahim's gang) had been found travelling with the Sena MLA, Mr. Madhukar Sarpotdar, when he was intercepted by the Army for possessing illegal weapons. When asked today whether this Anil Parab was the same as the one connected to the Dawood Ibrahim gang, Mr. Bapat denied it with a nod and exposed himself in the process. His denial meant he had all along known that Anil Parab had been found travelling in the same vehicle as Mr. Sarpotdar. Not just that, Mr. Bapat's obvious attempt to shield Anil Parab has led to further questions on the impartiality of the police force.

Press Reports Development in Ayodhya Case

Kalyan Singh Before High Court

93AS0550A Madras THE HINDU in English 20 Jan 93
p 6

[Text] New Delhi, Jan 19. The former Uttar Pradesh Chief Minister, Mr. Kalyan Singh, today denied before the Supreme Court allegations that the BJP [Bharatiya Janata Party] Government had conspired to demolish the disputed structure at Ayodhya and said the destruction was a sudden act which neither the Center nor the State had foreseen.

Appearing in person along with six senior Government officials, amid unprecedented security, the former Chief Minister told the Division Bench headed by Mr. Justice M.N. Venkatachallai that there was "no question of willful disobedience of any order of the court or willful breach of any undertaking given to the court on the facts of this case."

"I, as also the State Government and its officers, have throughout acted bona fide and in good faith. Although the State Government and its officers had done their best

in handling the situation, I accepted moral responsibility and tendered the resignation of my Council of Ministers," he told the judges.

To avoid blood bath: Referring to the State Government's direction to the administration not to fire at the kar sevaks demolishing the structure, Mr. Kalyan Singh said he had "acted in perfect good faith to avoid what would have been a blood bath."

The appearance of Mr. Singh and the six State Government officials before the court today was in response to suo motu notices issued by the court on December 18 asking them to show cause as to their bona fides in relation to preventing violation of the apex court order protecting both the disputed structure and the 2.77 acres of acquired land pending settlement of the dispute.

The officials who appeared before the court today were Mr. R.N. Srivatsav, District Magistrate, Faizabad, Mr. U.C. Tiwari, Additional District Magistrate, Faizabad, Mr. Prabhat Kumar, Principal Secretary, Home, Mr. Aloke Sinha, Secretary, Tourism, Mr. Jivesh Nandan, Joint Secretary, Home and Mr. Shekar Aggarwal, Special Secretary, Home.

Soon after Mr. Kalyan Singh filed his affidavit, the court exempted him from appearance until further orders. Earlier, the officials, represented by their counsel, submitted that as the notices merely called upon them to show cause why contempt proceedings may not be initiated against them, they would be able to explain their conduct in relation to the December 6 episode only after having access to the records as well as their inspection.

Records sought: The court accordingly directed the State of U.P. [Uttar Pradesh] to make available all records having a bearing on the efforts of the State administration pursuant to its undertaking before the court on the basis of which the court had passed several orders in the matter of protection of the structure and the land as well as indicating the steps to be taken by the authorities from time to time to prevent the violation or subversion of the court orders.

The court directed that these records be kept in the safe keeping of the State Government standing counsel, Mr. R.B. Mishra, and made available for inspection to the officials and the former Chief Minister as well as their counsel between February 2 and 15.

The court said that after such inspection, the accused persons should file further affidavits before February 22 and the matter would come up for further hearing on February 26.

In his detailed affidavit, Mr. Kalyan Singh submitted that it was not true that he had committed or permitted the commission of any act warranting the initiation of contempt proceedings. There had been no call given for the demolition of the disputed structure which was being used as a de facto temple since at least 1949. "The State Government did not receive any report which would cause any reasonable apprehension of threat to the disputed structure."

All steps taken: He said even then the State Government had made elaborate arrangements for the security of the disputed structure. The suggestions of the Center in this regard were duly acted upon. "The State Government took all such steps as were warranted in the circumstance to ensure the safety of the structure."

Mr. Singh submitted that the Center, which had set up an "Ayodhya cell" in the Prime Minister's Office, had been monitoring the situation closely and if any doubt had been there about the safety of the structure, it would not have failed to take necessary steps.

In the assessment of the State Government also, no apprehension existed about the safety of the structure, but by way of precaution, all possible measures were adopted after careful consideration at the highest level of the administration.

Chavan was satisfied: The former Chief Minister submitted that the Union Home Minister, Mr. S.B. Chavan, who was fully posted with the ground situation, had talked to him at about 1 p.m. on December 6 and had been satisfied that nothing better could be done than what was being done to handle the situation.

Mr. Singh said he had himself taken the decision to direct the district authorities not to order firing after being satisfied that such a step would result in a massacre leading to the situation becoming more tragic, with a possible violent backlash in the entire country. It was, therefore, directed that short of firing, all possible steps should be taken to handle the situation.

In a democratic Government, the Chief Minister, who with his Minister, was responsible for administrative decisions, had to give weight to the advice of his colleagues and officials on the spot. All these had a strong influence in taking a final decision.

Complex factors: The former Chief Minister stated that the apex court should consider whether it would like to go into these complex and imponderable factors and whether his Government's assessment, if considered erroneous, would amount to contempt, particularly when the on-the-spot assessment of the judicial observer appointed by the apex court was no different and the Center, which had its feedback, did not express disagreement.

"Moreover, contempt action can be taken against an individual only for his individual acts or omission. No individual act or omission of the respondent had resulted in violation of the order of or breach of any undertaking to the court, much less any deliberate wrongful act."

The judges however made it clear during the proceedings today that the accused persons should demonstrate with proof of records that they had taken all steps to protect the structure and act in aid of the apex court orders.

Recorded evidence: Mr. Justice Venkatachallaiah said the officials should show they had spoken up against any pressure from politicians. Such resistance to political pressures should be on record. The court did understand

the limitations of the bureaucracy in this regard, but the officials should know they had a constitutional duty to act in aid of the Supreme Court's orders.

Mr. Ashok Desai, appearing for the district and additional district Magistrates of Faizabad told the court he would prove to it he had acted in consonance with the court orders if records were produced by the State Government.

Mr. Venkatachallaiah made it clear at this stage that the court had no intention of demoralizing the bureaucracy. The court was only acting on the apprehension that these officials had succumbed to political pressure.

The court had thought it fit to issue notices keeping in view the constitutional dimensions of the problem. In the present case, the court would not be swayed by points of technicality raised by the accused persons.

The judges said the court would have to examine in detail the records in the case because it could not assume that all these officials had spent their energies to break the orders of the apex court.

Though prima facie there was violation of court orders, the accused would have to be given an opportunity to show cause before framing quasi criminal charges against them. The whole case would rest on the evidence produced by means of records.

Massive security: A massive security cover was thrown in and around the Supreme Court today. Senior police officials supervised the security arrangements with steel-helmeted policemen manning every entry and exit point at the court. Every vehicle entering was being scanned and people were frisked thoroughly—PTI.

Muslim Board Meeting

93AS0550B Madras THE HINDU in English 11 Jan 93
p 6

[Text] New Delhi, Jan 10. The All-India Muslim Personal Law Board's working committee has reached the conclusion that "fascist communal forces" destroyed the Babri mosque at Ayodhya in league with the police under State and Central Government sponsorship. After the imposition of President's rule, the Center allowed illegal construction and reinstallation of the idol of Ram Lalla and after a few days allowed darshan and worship. Now, by acquiring the masjid and the graveyard land and other property of Muslim religious trusts, the Government had "terminated the ownership of Allah and declared null and void the rights of Muslims which they had held for centuries." The Committee meeting held yesterday condemned all such measures.

According to a press release issued by the Board the meeting also declared that the spot where in 1528 the foundation of the mosque was laid, continued to be a mosque even after demolition of the building or after idols were installed by force or worship of idols allowed deceitfully. It also stated that a mosque did not cease to

be a mosque just because for a period of time, howsoever long that period may be, namaz had not been offered.

The meeting declared that no Muslim under any circumstances would allow a mosque to be turned into a place of idolatry and the Government's acquisition of the mosque land was a "blatant tyranny, illegal and null and void under the Shariat." It was an open interference in religious freedom, it said.

In this context, it was also announced that if the Government constructed an alternative mosque at any other place other than the Babri masjid site, it would not be a mosque under the Shariat and if for this purpose the Government constituted a trust, no Muslim could participate in it.

The Board also considered the Government's move to seek the opinion of the Supreme Court on a single point reference as a conspiracy to seize the rights of the property of the Muslims and rejected the move.

In view of its decisions, the Board addressed every person who called himself a Muslim, whatever social position he held—whether he is a prince or a pauper, a commoner or a Minister—and has asked him to close ranks and oppose the Government's action.

The meeting set up a seven-member committee to keep track of new developments as and when they took place and accordingly guide the Muslim community.

Presidential Ordinance Challenged

93AS0550C *Calcutta THE STATESMAN in English*
16 Jan 93 p 1

[Text] Lucknow, Jan 15. The presidential Ordinance acquiring 67.7 acres of land in Ayodhya was challenged today in the Lucknow Bench of Allahabad High Court on the grounds that the Ordinance denied the right to judicial remedy and was against the basic structure of the Constitution.

Moving the amendment application to the original suit no 4 of 1989 pending before the full Bench of Allahabad High Court, Mr. Abdul Mannan, counsel for the Sunni Central Waqf Board, submitted before the presiding judges that the Ordinance number eight on Ayodhya violated of Articles 14, 15, 25 and 26 of the Constitution.

The acquisition of land in Ayodhya through the presidential Ordinance of January 7 has resulted in the abatement of all suits pending in the High Court over the title of land. As a consequence, the original suit of 1989, the Sunni Central Board of Waqfs versus Hindu Mahasabha, Ram Janambhoomi Trust and others stands abated.

Objecting to the amendment application of Mr. Mannan, counsel for the defendants, the Hindu Mahasabha and Dharamdas of Hanuman Garhi and others, Mr. B.S. Jain argued that since the suit stood abated by the Ayodhya Ordinance, there was no justification for admission of the amendment application moved by Mr. Mannan on behalf of the Sunnig Waqf Board. The judges, Mr. Justice S.C. Mathur, Mr. Justice Brijesh

Kumar and Mr. Justice A.H.A. Raza of the High Court, hearing the case permitted counsel for the defendants to file objections before the court and fixed February 5 for the next hearing on the admissibility of the amendment application of Mr. Mannan.

While challenging the validity of the Ayodhya Ordinance, Mr. Mannan argued that in the face of the admitted case of the State Government that the structure standing there was the Babari Masjid, a place of worship of Muslims, the Ordinance could not allow puja and darshan on the site and the land thereof, Mr. Mannan further contended before the court that though the structure of the Babari masjid had been demolished "illegally" on December 6, 1992, in gross violation of the orders of the High Court and the Supreme Court, the land remained that on which the structure stood and its inner and outer courtyards remained a mosque for the Muslims and hence it could not be acquired by the nor could an "illegal structure" be allowed on it. Hence, the Ordinance was in violation of Articles 14, 15, 25 and 26 of the Constitution.

Reaction to OIC Resolution

93AS0550D *Calcutta THE STATESMAN in English*
14 Jan 93 p 1

[Text] New Delhi, Jan 13. India has reacted sharply to the resolution on Ayodhya adopted by the bureau of the Organization of Islamic Conference [OIC] at its meeting in Dakar and made it clear that what took place on December 5 was "exclusively" an internal affair and this country required no external advice on how to protect its minorities.

"We have seen with regret the pronouncement by the OIC in Dakar on January 11 on the Ayodhya events", the spokesman of the External Affairs Ministry said here this evening. "These events, unfortunate and regrettable as they were, are exclusively within the internal jurisdiction of India".

"The Government of India needs neither advice nor exhortation with regard to the protection of the human and religious rights of its Muslim minority—numbering over 100 million", the spokesman said.

Ayodhya Ordinance Promulgated, Details Given

93AS0559A *Bombay THE TIMES OF INDIA*
in English 8 Jan 93 pp 1, 13

[Article: "Ayodhya Ordinance Promulgated"]

[Text]

President Seeks SC View Under Article 143 (1)

New Delhi, January 7. After another day of high drama, the President, Dr. Shankar Dayal Sharma, promulgated an ordinance tonight for acquiring 67.703 acres of land in and around the Ram Janambhoomi-Babri Masjid complex at Ayodhya.

This is in keeping with the Centre's December 27 package on Ayodhya. The long-awaited ordinance provides that all properties in the acquired area which are vested in the Central government will be freed from all encumbrances affecting them.

Simultaneously, all litigations concerning the properties shall also abate.

The acquired land also includes the disputed site on which the demolished structure stood. The ordinance also has a provision for setting up of trusts or bodies and comes into force with immediate effect.

The President today made a reference under article 143 (1) of the constitution for consideration and opinion of the supreme court on whether any temple or any Hindu religious structure existed prior to the construction of the Ram Janambhoomi-Babri Masjid structure at Ayodhya.

The supreme court, under the reference, will also inquire into the premises of outer and inner courtyard of the structure and in the area on which the structure stood.

The presidential reference was presented tonight before the registrar-general of the apex court, Mr. M.S.A. Siddiqui, at his residence.

The President was pleased to promulgate the ordinance keeping in mind various factors, including the long-standing dispute relating to the Ram Janambhoomi-Babri Masjid structure which has affected the maintenance of public order and harmony between different communities in the country, coupled with the imperative to promote brotherhood among the people.

The measure is called the "Acquisition of certain areas at Ayodhya ordinance, 1993" and defines the area under acquisition as encompassing all buildings, structures or other properties. This has also paved the way for appointing a claims commissioner.

The acquisition of areas in the temple town shall be deemed to include all assets, rights, leaseholds, powers, authority and privileges and all property moveable and immoveable. It is the duty of the state government in charge of management to deliver all assets and the Central government has the power to direct vesting of the areas in another authority for body or trust.

The owner of any land, building or structure or other property acquired through the ordinance will be paid compensation in cash equivalent to the prevailing market value. As per the ordinance, the claims commissioner shall regulate his own procedure for receiving and deciding the claims.

The ordinance stated that the Centre has sought protection of its action in good faith. "No suit, prosecution or other legal proceeding shall lie against the Central government or the authorised person or any of the officers or other employees of that government for anything which is in good faith done or intended to be done under the ordinance."

It has taken 11 days after the Union cabinet decided on December 27 to acquire all the areas in dispute in suits pending in the Allahabad high court and suitable adjacent area.

It was also decided to make the land available to two trusts which would be set up for the construction of a temple and a mosque, as well as for the planned development of the area.

The cabinet had made it clear that the opinion of the supreme court on the single-point reference to it by the President would be binding on the Central government. It would also be ensured that the position existing prior to the promulgation of the ordinance would be maintained until the supreme court gives its opinion.

Thereafter, the rights of the parties shall be determined in the light of the court's opinion.

Meanwhile, the Congress today strongly justified the move to refer the Ayodhya dispute to the supreme court under article 143 of the constitution, claiming that it would provide the best solution and put an end to all litigation.

SC Hearing: The supreme court will tomorrow hear the petition by Mr. Mohammed Aslam, one of the litigants in the Ayodhya imbroglio seeking a ban on the construction of the temple by Hindu organisations and kar sevaks.

The two-judge bench of Mr. Justice M. N. Venkatachaliah and Mr. Justice G. N. Ray, has already issued contempt notices.

Assaults on Newsmen at Ayodhya Investigated

Press Council Panel Reports

93AS0556A New Delhi PATRIOT in English 9 Jan 93
p 5

[Article: "Assaults on Mediemen in Ayodhya Pre-Planned"]

[Text] The Press Council of India has held that the assaults on mediapersons in Ayodhya on December 6, the day on which the disputed structure was demolished, was pre-planned by the organisers of the kar seva.

The Council has also received prima facie evidence to prove that the organisers had imposed a ban on the mediapersons, "under the threat of causing hurt," on coverage of the rehearsal on December 5 "presumably by the same kar sevaks."

A special committee, headed by Council Chairman Justice R. S. Sarkaria, which probed the attacks on the mediapersons said the attack were "part of a strategy to prevent them from photographing or filming" the demolition of the disputed structure on December 6.

Releasing the report to the press in Capital on Friday, Justice Sarkaria said the committee had probed only the attacks on the journalists and not the role of the organisers of the kar seva since a judicial commission under

a sitting judge of the Punjab and Haryana High Court was probing this and because the evidence before it was inadequate and conflicting.

The committee also recommended that the Government should take immediate follow-up action on its findings and bring to book those guilty of the attacks on the mediapersons as well as those responsible for the lapses in the maintenance of law and order.

The committee was constituted by Justice Sarkaria on December 14 in the wake of press and television reports about the attacks. The members of the committee besides the chairman were Mr. Uttam Chandra Sharma, Mr. K.P.K. Kutty, Mr. R. C. Pandit, Mr. Paramanand Pandey, Mr. B. M. Sharma and Mr. Satish Khurana, Mr. R. K. Karanjia, who had been named as a member, could not associate himself with the inquiry or the deliberations of the committee. The committee held its sittings at Faizabad on December 17 and 18, at Lucknow on December 19 and 20, and at Delhi from December 22 to 24 on January 3.

Although most of the 81 people who tendered oral evidence and those who gave written evidence before the special committee referred to the kar sevaks as those from the Vishwa Hindu Parishad [VHP], the Rashtriya Swayam Sevak Sangh [RSS] and other groups, the committee chose to refer to them merely as "organisers of the kar seva."

Those who tendered evidence before the committee included journalists, photographers and cameramen, eight people sent written statements alleging that their cameras were forcibly snatched away or smashed by the kar sevaks after assaulting them at Ayodhya on December 6. Written communication was also received from some organisations that their cameramen had been assaulted and suffered loss or damage to their cameras and equipment.

The Justice Sarkaria said the committee had only probed the assaults on the mediapersons and whether this was part of a preconceived plan, apart from the role of the police and other law and order agencies.

The Council also found that the police officers and law and order enforcing authorities "remained mute spectators of the assaults on mediapersons though the assaults being committed in their presence amounted to the commission of non-bailable and cognizable offences."

In a situation of this kind, even a private citizen had the right to arrest the offenders and it was the duty of the police to intervene and prevent these assaults.

The committees said that from the overwhelming evidence, both oral and documentary, on record, it had been prima facie established that on December 6 at about 11:45 a.m. hundreds of kar sevaks forced their entry into the 2.77 acre area after breaking through the fencing and the cordon which, according to some witnesses, had been formed by RSS volunteers.

The volunteers at the initial stage had tried to check the intruders and even lifted and threw some of them out of the enclosure. But as the number of onrushing intruders swelled and the RSS volunteers gave up their attempt to stop them any further.

The witnesses also said batches of kar sevaks were armed with building-breaking tools, such as pick-axes, sledge hammers and crowbars. When video and news cameramen and other journalists began recording a blow-by-blow account of the scene that was unfolding before them, as some kar sevaks climbed up to chip away the domes, groups of kar sevaks armed with sticks, trishuls and some with iron-rods and swords turned their ire on the mediapersons, particularly photographers.

They commanded the mediapersons not to film or photograph the scene but to surrender their equipment. Those who did not comply were immediately manhandled or beaten up. Only a few could escape unscathed by disguising themselves as kar sevaks. However, in most cases, the marauders succeeded in snatching away or damaging the cameras and other equipments after belabouring their victims, the report says.

The committee also rejected the allegations that the kar sevaks were provoked by a woman journalist who was using abusive language and was chain-smoking saying "this version is hardly convincing." Furthermore, this would not furnish, "even by a long pole," any motive to the militant kar sevaks for opening a general assault on other mediapersons, and only the woman would have been the target even if such incident had occurred.

It has also noticed that several witnesses said the militant kar sevaks were annoyed with BBC correspondent Mark Tully because of some allegedly inaccurate and provocative announcements or comments made by the BBC. Some witnesses said they were mistaken for Mr. Tully, while others admitted to being asked if they were from the BBC. There was also evidence that Mr. Tully and some other mediapeople were confined to a room by the kar sevaks, possibly with a view to removing them from the scene of occurrence for questionable motives.

But, the committee said, "All said and done," there was no justification for the kar sevaks to open a general assault on mediapersons.

The committee also said evidence showed that as the "operation demolition" started and gained momentum, the frequency, intensity and brutality of the attacks on journalists and media people also increased in direct proportion to it.

Furthermore, the committee noted that some mediapersons were even stopped when they tried to flee the spot after the assault, at roadblocks made by the kar sevaks.

It said these roadblocks were obviously made to ensure that no journalist or other person could escape with an exposed roll of film or with the photographs relating to the demolition. The fact that several photographers managed to smuggle out their pictures did not negate the

conclusion that these assaults on journalists photographers were preplanned. The inmates of the vehicles were specifically asked if they were mediamen.

Therefore, the "inference is irresistible that the attacks on mediapersons were preplanned."

The committee said the incident further confirmed the impression that the press was increasingly coming under pressure and attacks. This was a "serious situation for a democratic polity which must consider positive steps to not only protect the press and other media people from physical assaults but also create conditions in which the media can function effectively, fearlessly, and independently," it added.

The 91 journalists and cameramen who gave oral evidence reported to a loss of more than Rs 40 lakhs by way of cash or damage or loss of equipment. Some of the journalists/camerapersons who gave evidence included were Masood Ali Khan (World Muslim Congress, Cairo), Jimmy Dorantes (American), Peter Heinlein (Voice of America), P. K. Roy, Ms. Suman Gupta, Ms. Ruchira Gupta, Manoj Chhabra, Ramesh Chand, Vinod Tripathi, Sayid Majid Pari and Sanjay Sharma.

Excerpts From Testimony

93AS0556B Madras THE HINDU in English 9 Jan 93
p 6

[Article: "I Was Kicked in the Face by Kar Sevaks"; italicized words and quotation marks as published]

[Text] New Delhi, Jan. 8. "The kar sevaks, numbering about 15 and equipped with trishuls, knives, etc. came running towards me and one of them snatched my bag. One heavily-built kar sevak, wearing yellow cloth strips on his forehead and waist caught hold of me and pointing a trishul to my chest, asked me to surrender the film roll, threatening that otherwise I would be killed."

This statement is from the testimony of Ms. Suman Gupta, staff correspondent of *Jan Morcha*, Faizabad, before the Press Council. She was among the scores of presspersons who were the target of attack at Ayodhya on December 6 when the Babri masjid was demolished. Her evidence was one of the many presented to the council on the assault against journalists by kar sevaks on that day.

They took out the camera, tape and flash from my bag and smashed them on the road. The bag contained the exposed film roll, my money bag with approximately Rs [Rupees] 200 cash in it, a press card (information department), Secretariat entry pass and driving licence.

"At that moment, two tall youths, one of them wearing a khaki jacket, intervened and the kar sevaks ran away. I too ran and entered the house of Mr. Jugal Kishore Sharma. Even then, the kar sevaks were standing outside. Ms. Nirmala Deshpandey, president of the All-India Creative Society [AICS], and Ms. Kalpana Palekar were present there. They hid me there."

"I remained in the office of the Ramjanmabhoomi Weekly for about 2-1/2 hours. Around 4 p.m., from Jugal Kishore's house, wearing a dhoti and shawl, and hiding in the dicky of a car, I reached Faizabad. On the way, kar sevaks stopped the car twice. The driver had passed a paper on the 'press' sticker. Ms. Nirmala Deshpande and three other women were in the car. The kar sevaks allowed the car to go on seeing them, after saying 'Jai Sri Ram.'"

"When journalists, photographers and video cameramen were attacked neither Mr. Ashok Singhal nor Mr. Advani, or any other leader, protested. No announcement was made on the public address system that the journalists should not be attacked," she said.

Mr. Rajinder Kumar, photographer of *Rashtriya Sahara* said, "On December 6, I was photographing from Seshavatar Mandir. Somebody caught my camera, and broke it saying: you are photographing. I said I shall not take photographs. But they still continued beating me. I ducked to stave off the blows and tried to save my camera."

"They dragged me to a place near which a gate had been made by breaking the walls. I was severely beaten up. I was surrounded by people and somebody kicked me in the face. I started to bleed. They searched me and took my card and tore it into pieces. An old man then came and exhorted the people not to beat me, and escorted me to the place where police vehicles were parked. When I walked a few steps, again some persons came and said: 'You are a photographer.' He gave me two slaps and went away. My shirt was also torn."

"My right lower jaw is broken and my lips have become insensitive. My teeth are tied with a wire. Dr. S. K. Bhatnagar, plastic surgeon, King George Medical College, Lucknow, has treated me," Mr. Kumar submitted.

"People were climbing up the domes on the disputed structure from the rear. So I wanted to get there for better photography. On the way some people tried to snatch these things (camera equipment). They could not but they damaged two-three lenses. People beat me with their hands and my shoulder was dislocated." Mr. Ajay Kumar, senior photographer, *Swatantra Bharat*, told the council.

Held by the hair: Mr. Kedar Jain, photographer of the Gwalior-based *Dainik Swadesh*, said in his deposition: "On December 6 morning at about 7 a.m., I went to the Saryu river to take photographs of kar sevaks taking water and sand for the kar seva. Then I went to the Ram Katha Kunj. After a short while the demolition of the shrine started. I began taking photographs. Then somebody from behind held me by my hair. I had two cameras and a self-charger in my bag. My entire equipment was snatched."

"I am sure all these attacks on photographers and cameramen were pre-planned. I gave a complaint to the SHO [Station House Officer], police station, Gwalior on

December 22. I am giving a copy thereof along with my complaint dated December 23 to the Press Council," Mr. Jain said.

"From 10 a.m. to 12 noon, we were at Manas Bhawan (the building close to where the Babri Masjid stood). In the meantime commotion had started. Boys were climbing up the domes. From Manas Bhawan we went to another place. There we were threatened, so we moved away. On the way some kar sevaks slapped and roughed me up," Mr. Anil Anand, Staff Correspondent of *The Hindustan Times*, told the council.

Mr. Peter Heinlein, Voice of America bureau chief, said the first attack was on his equipment. "As I was watching (the demolition exercise) one young fellow grabbed my microphone and ripped the wire from the taperecorder. I became aware that I was surrounded by other kar sevaks."

'Hit with steel pipe': "Three of them tried to snatch away my bag as I was wrestling with them. On being hit on the head, I blacked out. I learned afterwards that I was hit with a steel pipe. When I regained semi-consciousness I noticed that people were carrying me and a cloth had been wrapped around my head," he told the council.

Vajpayee Interviewed on Ayodhya, Other Matters

Questions on Ayodhya

93AS0558A Madras THE HINDU in English 8 Jan 93
p 8

[Article: "BJP Not for a Communal Divide—Vajpayee"; quotation marks, boldface words as published]

[Text] Mr. Atal Behari Vajpayee does not repudiate or criticise the pernicious Guru Golwalkar theory of the former RSS [Rashtriya Swayamsevak Sangh] chief that minorities in 'Hindusthan, the land of the Hindus' must 'live at the mercy' of the 'national race (Hindus)' or 'quit the country' at their 'sweet will.' In fact he justifies the views on the ground that they must be seen in the proper context. Yet, he would have us believe that the Bharatiya Janata Party [BJP], which openly acknowledges the RSS as its mentor and spiritual guide, is the 'only genuine secular party.' He slurs over the crucial question—when and where has the RSS or the BJP criticised Golwalkar's views?

Mr. Vajpayee says he does not know what slogans were raised with full lung power by the party MPs inside Parliament, that he does not know what the agenda of the Vishwa Hindu Parishad [VHP] is with regard to the 'claim' on 1000 mosques. The BJP leaders have been crying hoarse that the House of Worship which had Babur's name must give way to a Ram temple. However he claims that he does not believe in 'historical revenge.'

One of the tallest BJP leaders, Mr. Vajpayee today seems to have got over his pangs of remorse expressed immediately after Black Sunday at Ayodhya. He refused to entertain a direct face-to-face interview and preferred to submit written replies to a questionnaire sent to him by

Neena Vyas, which is reproduced below. In spite of repeated requests he did not give time for supplementary questions....

Two days after a house of worship was demolished at Ayodhya, almost all the BJP MPs, barring four or five, chanted inside Parliament "yeh to pehli jhanki hai, Kashi-Mathura baki hai." How would you describe this? What action will the party take, if any, against the MPs?

I am not aware of any such slogans being raised in Parliament. I have seen the record of proceedings of the House and there is no mention of raising of the slogans in the House. Moreover Kashi and Mathura are not in the agenda of the party.

Kashi and Mathura are part of the VHP agenda. Some leading lights of the VHP are also BJP leaders and MPs. Yet the BJP is opposing the ban on the VHP. Do you think the ban should be lifted and the VHP should be free to continue with its campaign to demolish at least three, perhaps one thousand mosques in the country? Will the BJP actively oppose such an agenda being taken up by any organisation and what has the party done so far to oppose this plank of the VHP, which is its sister organisation?

I do not know about the agenda of other organisations. I do not support a ban on any organisation even if I do not like it. In case I am opposed to the plans and programme of some organisation, I will like to fight it through an ideological and intellectual debate. We are not even in the favour of banning of Congress or Communists of various hues who are responsible for bringing India to a brink of economic and political disaster. Bans smack of fascism.

Mr. S. S. Bhandari has stated on December 26 that neither the Supreme Court nor Parliament is competent to decide the Ayodhya dispute and that "secularists did not have to poke their noses in either temples or mosques (sic)." BJP, considers itself to be the only 'genuinely secular' party as opposed to the 'pseudo-secular' parties. Does it have any business to meddle in temple-mosque controversies?

As I have not seen Mr. Bhandari's statement, it will not be proper for me to comment on it. However, following the December 6 developments at Ayodhya, the best course would be for the Parliament to enact a law under which the entire land needed for the temple should be acquired and handed over to Ram Bhakts for the construction of the temple.

The BJP leaders, Mr. L. K. Advani and Prof. M. M. Joshi, among others, collected the crowds at Ayodhya and yet left the decision on how 'kar-sewa' is to be performed to the VHP nominated body of 'sadhus,' and Marg Darshak Mandal. In other words, it voluntarily relinquished responsibility and gave authority to 'sadhus.' Was this not an open acknowledgement of a move towards Hindu theocracy?

We have not relinquished responsibility for the unfortunate developments at Ayodhya on December 6. Owing the responsibility, Advaniji had resigned as the Leader of

Opposition and the Kalyan Singh Government also quit the office in the wake of the demolition of the disputed structure. I wish, others in various political parties, had shown the same sense of responsibility. The Prime Minister who could not resolve the issue all these months and also failed to act for 40 crucial hours following the resignation of the Kalyan Government in Uttar Pradesh, continues in his office without any qualms. The Left and the Janata Dal combine which had joined hands with the fundamentalist leadership of Muslims and taken a very hard stand on the issue need to be told to undergo introspection in the aftermath of Ayodhya incidents. Do not forget that Muslims outside Ayodhya had not heard about the disputed structure prior to 1986 when the issue was communalised by these organisations. Since then, it has been needlessly presented as a question of life and death for the Muslims in the country. I am sure this could have been avoided. The lives of about 1000 Muslims who fell victims to the police bullets in the agitation that followed the demolition of the structure could have possibly been saved.

BJP indeed is the only genuine secular party because it firmly believes in equal respect to all religions. History shows that a Hindu India was never a theocratic state. It will never be one till Hindus are in overwhelming majority in the country.

When a major political party like the BJP allows itself to be dictated to by 'sadhus' and 'swamis' who have openly rejected the constitution and described it as "anti-Hindu" can the party claim to work within the Constitution?

It is not for the first time that amendments have been sought in the Constitution of the country. It has been amended by Parliament, at the instance of the Government of the day. I think 70 times by now. If those, who are Members of Parliament and run the government, can seek and effect its amendment, I do not see why ordinary citizens cannot do so.

However, I do not consider the present Constitution anti-Hindu. In fact, those in power have failed to follow it, in letter and spirit. The gross misuse of Article 356 is a recent example. The Government reversed the Court's judgment in Shah Bano case, contrary to the directive principles of the Constitution, which provide for a uniform Civil Code. Article 370 was supposed to be a temporary measure—it has been turned into a near permanent one. The Government has done precious little to ban cow slaughter, as provided for in the Directive Principles. In fact the repeated misuse of the Constitution by the establishment has eroded the credibility of the system. As a result various sections of the society are showing their resentment. Ironically those who have abused the Constitution the maximum, are now talking about its sanctity.

Many feel that the BJP has already been hijacked by the VHP and the so-called 'sants.' What are your views on the relationship?

I do not agree with the contention that BJP has been hijacked by anybody. BJP and VHP are two separate organisations and they take their respective decisions independently.

The top leaders of the BJP are also life-time activists and members of the RSS. As far back as 1939 Golwalkar, the RSS chief described all those who maintain their religious differences in "Hindusthan, the land of the Hindus" as "foreigners" and further said that these "foreigners" must merge themselves in the "national race" or "live at its (the Hindus?) mercy.... or quit the country at the sweet will of the national race." When and where has Golwalkar been disowned and criticised either by the RSS leadership or by the BJP?

Guruji had made these observations way back in 1939. It was the time when Stalin was busy singing his famous pact with Hitler with a lot of toasting and bon-homie. Our Communist friends in India were a part of the Communist international at that time. They had no qualms about associating themselves with Nazi Hitler.

India has been host to several tribes, races and religious groups such as Hunes, Shakas and Tatars, etc. Over the centuries they were assimilated in the vast ocean of Indian ethos. The process had continued with the Mugals, Afghans and other groups of Muslims also. But the arrival of the British on the scene not only stopped the process but also reversed it. Change of religion or shift in the mode of worship should not result in change in nationality or cultural heritage. Guruji's statement should be seen in this context. I had the opportunity to see Shri Golwalkar from close quarters and he never criticised any religion.

The BJP, and you, have often said that no one raised a hue and cry when temples were demolished in Kashmir. The Indian State considers those who did this as extremists and militants and anti-national agents of Pakistan and is hounding them with the help of the army. The BJP has paid homage to the so-called 'kar-sevaks.' How would you describe those who demolished not only the 450-year old Babri Masjid but also the 150-year old 'Ram Chabutra' on December 6?

There is no comparison between the Babri Masjid and the temples in Kashmir. The Kashmir temples were demolished in order to serve a notice to the Hindus that they have no place in the valley. There was no dispute about these temples or the sites on which they were built. This happened before the Army was called upon to deal with the terrorists who, aided and abetted by Pakistan, are out to break-up the country.

The alibi of so-called 'Hindu sentiments' has been given by the BJP for its Ayodhya agitation. Where would you draw the line of the so-called 'Hindu sentiments' demand the demolition of 1,000 mosques? Does this not amount to legitimising mobocracy in the name of "people power?"

There is no question of opening up the issue of 1,000 mosques. While dealing with Ayodhya issue, one has to distinguish between a genuine people's movement and a "mobocracy."

Do you justify "historical revenge?" Where would you draw the line, what time in history, if all monuments, secular and religious, were to be restored to the community to which they first belonged? Should the Qutab Minar complex be restored to the Jains if there is historical evidence to prove that Jain temples existed before the Qutab was built?

We do not want to fight history and I am not for "historical revenge." I do not know why the Ayodhya movement is sought to be termed as a "historical movement" and not as a movement propelled by a genuine desire on the part of a large section of the population to build a Ram temple at the site which crores in this country believe to be his birth place. Raising issue like Qutab is just not relevant to the present situation.

The BJP considers the construction of a Ram temple as its "essential mandate." As the second largest political party does the BJP consider this the "essential problem" facing the country?

If building a Ram temple cannot be an essential problem, I think stopping its construction through all possible means should also not have been the sole agenda of various political parties and a section of the media. BJP considers 'Roti' as important as 'Ram' for the country. In fact the two concepts are not contradictory but complementary to each other.

Where were the 'Hindu sentiments' about Ayodhya when you and Mr. Advani were Ministers in 1977? Why did you not take up the issue then?

We have not taken up the issue of Ram temple. It was raised by the various Hindus organisations and sants. We extended our support when we found that other political parties were politicising the issue and putting obstacles in its way as a part of their appeasement policy. Had these parties kept themselves out of it, I can assure you BJP too would have stayed away from this issue.

The Shah Bano case is often cited by the BJP as the turning point and the reason for the party taking up the Ram temple cause. Did Parliament's reversal of the judgment affect any community other than the Muslim women? And was BJP the only party to decry what the Congress had done?

In fact, all major national parties, besides BJP, have been using national Muslims as a vote bank and providing respectability to the fundamentalist leadership of the community. Shah Bano case underlined this fact further. The plight of Muslim women cannot be the concern of the Muslims alone. It concerns the entire society in general and Muslims in particular. When one community is allowed to continue with undesirable customs, that too after reversing a judgment by the highest Court in the land, its demonstration effect on other sections of the society cannot be under-estimated. I wish those who have waged a war against the BJP and Hindutva following the demolition of the structure, could have shown the same zeal in fighting the change in the Muslim Personal Law.

After December 6, which way is the BJP heading? There is a sharp polarisation along communal lines in the country after December 6. Will the sharp polarisation help the BJP and will it help the nation?

We are for clearcut demarcation of the country on the basis of ideas and ideologies and not polarisation of communities. The division of the country on communal lines is neither in favour of the country nor of BJP.

And where do you stand in the party today? You have expressed your anguish, is that enough? If you feel marginalised, how marginalised are you?

BJP is a democratic party which gives scope for a lot of debate on various issues. I have my own ideas about the national problems which I share with my colleagues at the various party fora. There is no question of anybody being marginalised in the party.

Mr. H. V. Seshadri, RSS General Secretary, has said in *Organiser* dated January 3, on the assaults on the press on December 6 at Ayodhya, that "the kar-sewaks must have recognised them (the communists and marxists among the journalists) and tried to see that they may not indulge in a mischievous presentation of the incident." Do you agree with this, and even if there were "communists and marxists" among them, should they have been beaten up?

I have not seen Mr. Seshadri's statement and therefore I cannot comment on it. But I am of the firm opinion that we should not use violence even against those who seek and work for our banning. Right to dissent is one of the essential attributes of a democratic functioning. In fact I have condemned the beating up of journalists at Ayodhya and have also apologised on behalf of the party on the issue.

Where do you stand in the party today?

I continue to stand where I was.

What are the major differences between the BJP and the Congress on economic policy and foreign policy issues? Is the Ram temple issue the only 'major' point of difference?

There are a lot of issues, both economic and foreign on which BJP and Congress differ. It is not possible to dwell on these points in detail in this interview. However, it will suffice to say that in economic matters the Congress has been moving from one extreme to the other. Earlier the economy was strait-jacketed in the Soviet model. Now the pendulum has swung to the other extreme with the country importing technology to even manufacture and market potato chips. In the matters of foreign policy, the ruling party has yet come out of the mindset of a bi-polar world and help India find an honourable place in a unipolar world which has emerged following the collapse of Communism in the erstwhile Soviet Union and Eastern Europe. Another major failure on the part of the Congress in foreign policy is that none of our neighbour respects us.

The Janata Dal has announced that it will use 'mandal' to counter 'mandir.' Do the twin Mandal-mandir issues reflect the urgent problems in this country?

As and when Janata Dal can find time from its squabbles, it starts talking the language of creating confrontation in the society. BJP stands for social justice. I do not see why Mandal should be pitted against Ram's name. Ram-Rajya is inclusive of social justice.

And finally, do you think that the Congress will be able to get its act together? Is the country headed, in your view, towards a mid-term poll?

I am sure, the country will see through the game plan of Congress and other parties. Three State Governments (two which had almost two-thirds majority) were sacked by the Centre on flimsy charges. As a result it has lost legitimacy to rule. The power equations within the ruling party are changing fast. I do not think Mr. Narasimha Rao will be able to complete his term. The mid-term poll, to me, seems inevitable.

Rejected Resignation

93AS0558B Hyderabad DECCAN CHRONICLE in English 6 Jan 93 p 7

[Article: "Vajpayee Unhappy, Anguished"; boldface words as published]

[Text] **You have often been described as a liberal. What are the sort of liberal values you hold dear?**

Take for example tolerance. Even if we think the other viewpoint is not correct, we have to listen to it. We have to respect the holder of that viewpoint. There are bound to be differences, but differences should not lead us to intolerance.

Today, attitudes are getting hardened. The keenness to debate... to argue the case... is no longer there.

After December the sixth, did you offer your resignation to BJP [Bharatiya Janata Party] vice-president Sundar Singh Bhandari and to the Lok Sabha Speaker?

I sought the permission of the party and the Speaker to resign from the Lok Sabha. The party didn't want me to resign and the Speaker was not willing to accept my resignation.

Why did you want to resign?

I wanted to resign from the Lok Sabha because I had to defy the chair. In the past, I had never persisted on saying something when the speaker was on his feet, but it happened that day. Friends from the Congress and the Left parties did not allow me to speak. The Speaker wanted me to make my submission. But the next day, the situation reached such a boiling point that on behalf of the party, I had to say something, because I became the spokesman after the arrest of Mr. Advani, but the Speaker did not allow me, and I defied him.

So you were resigning from the Lok Sabha in protest against the Speaker's...

Not in protest, but to express my regret that I was confronted with such a situation.

Why did you submit your resignation to Mr. Bhandari? Were you also resigning from the party?

No, not from the party—I was resigning from the national executive.

Why were you doing that?

No, because I had differences on the Ayodhya issue.

What sort of differences?

What happened on the sixth of December in Ayodhya should not have happened at all. And we could not control those who had assembled in Ayodhya. It was failure on our part.

But I thought that I was also responsible for creating an impression in the country. I addressed the people at Lucknow jointly with Advaniji and Joshiji. I had given a clear assurance to the people that the disputed structure would not be demolished. I wanted to express my regret, agony, anguish. That's why I tendered my resignation.

You also spoke of differences within the National Executive. What sort of differences?

I don't discuss party matters in public

Why did you allow them to persuade you to withdraw your resignation?

When I saw the party shared my view and top leaders of the party of the RSS [Rastriya Swayamsevak Sangh] came up with public statements regretting what had happened at Ayodhya, I decided not to persist with it.

Did you say the party shares your view?

That what happened in Ayodhya was regrettable and unfortunate.

They don't describe it in the same terms as you do. There is a fundamental difference.

No. I don't think there is a fundamental difference. The terminology is the same.

The party is anguished?

The party regretted.

And is anguished, as you said?

No, that may be my personal feeling, but there are...

Are you happy they succeeded in persuading you not to resign.

I don't propose to answer that question. Whether I am happy or unhappy is not very important.

What are the sort of things which make you unhappy as a party man?

That will require a long reply.

You have all the time in the world.

No, I don't have time...

Please give us some idea.

No. I don't wish to discuss these matters. Please.

But you accept that there are many things within the party that make you unhappy today?

Yes there are.

To what extent do you think your party's image has suffered due to the events on the sixth of December?

To some extent, and we are concerned about it. But as I said, the party has the strength to surmount these temporary setbacks.

What sort of relations would you like your party to have with organisations like the Bajrang Dal, the VHP [Vishwa Hindu Parishad], and even the Dharam Sansad in future?

This is not the time for us to discuss our relations, particularly when organisations are banned and are facing an onslaught from the government.

Several leaders of your party were involved in taking the masses there, giving conflicting opinions... Mr. Advani for one. He took people there, he organised yatras that instigated the people, he gave conflicting advice to MPs [Member of Parliament], he said conflicting things, he wasn't even clearcut about the nature of the kar seva. To what extent does Mr. Advani have to bear the responsibility?

I would not like to discuss Mr. Advani.

But the leadership as a whole will be...

...No, as I told you earlier on, even on this fifth of December we were convinced that no damage would be caused to the disputed structure. We thought that those who were collected at Ayodhya would abide by the decision taken by the top leadership. They did not do so.

We have miscalculated.

Do you believe that the BJP should now struggle for the restitution of temples at Kashi-Vishwanath?

That is a hypothetical question. Neither Mathura nor Varanasi is on our agenda.

And you don't want them on your agenda/

No.

You have spoken with enormous sincerity, but a lot of people listen to Atal Behari Vajpayee and say he speaks in a conciliatory fashion on one day and blows as hot as a devil the next. That he is being manipulated by the RSS.

(Laughing) People are free to draw their own conclusions. I am what I am, and I don't suffer from double-think or double-speak.

Why have you publicly told us that you wanted to resign from the NEC? Surely these are factors that will embarrass the party a little?

Because you asked me a question and I wanted to be truthful. I didn't want to hide facts.

Do you also want to push the party—by making public your position—towards coming closer to your thinking?

No. No question of pushing the party. But I do place my view-point very strongly before the party.

Is there any chance of your wanting to resign from the national executive of the party or Parliament again the foreseeable future? Do you see anything that might make you want to resign again?

No.

Maharashtra Governor Subramaniam Resigns

93AS0560A Bombay THE TIMES OF INDIA
in English 8 Jan 93 pp 1, 13

[Article: "Governor Subramaniam Quits"; boldface words as published]

[Text] New Delhi, Jan. 7. The governor of Maharashtra, Mr. C. Subramaniam, submitted his resignation to the President, Dr. S. D. Sharma, here this evening in the wake of his controversial interview to a Goa daily criticising the style of functioning of the Prime Minister, Mr. P. V. Narasimha Rao.

Rashtrapati Bhavan in a communique said the President had accepted Mr. Subramaniam's resignation and has asked the Gujarat governor, Mr. Sarup Singh, to take charge till alternate arrangements are made.

Mr. Subramaniam, who was a Union minister for several years, was virtually out of the political scene till the V. P. Singh government at the Centre appointed him governor of Maharashtra in 1990.

With his resignation, Mr. Subramaniam has sought to end the controversy pertaining to his reported interview to the HERALD newspaper of Panaji purportedly criticising Mr. Rao for holding on to so many portfolios and are delegating work to allow his ministers to take independent decisions.

He is said to have been critical of the Prime Minister for attending so many functions in a day outside the capital when the Ayodhya controversy was at its height.

The veteran Congressman from Tamil Nadu gave the interview to the Goa newspaper after the second plenary session of the Indian Science Congress which began on January 3 and was inaugurated by the Prime Minister.

Interestingly, Mr. Subramaniam submitted his resignation soon after he denied he had given an interview to the Goa paper. In fact, Mr. Subramaniam met journalists this afternoon in connection with the launching of the National Foundation of India, set up by him, where he gave no indication about his resignation.

At the end of the meeting, Mr. Subramaniam circulated a paper carrying his denial. Mr. Subramaniam denied giving any such interview to the paper and said that what was attributed to him was "factually incorrect."

He said all his life he had been correct constitutionally and it was not his style.

Further, Mr. Subramaniam said that even if he did have any criticism, he would not do so in a Goa daily.

Official sources in Rashtrapati Bhavan said Mr. Subramaniam did not meet the President, but forwarded his resignation through a special messenger.

Our Staff reporter adds: The chief minister, Mr. Sudhakar Rao Naik, tonight said the resignation of Mr. Subramaniam would have no bearing on the stability of his government since the resignation was already known to him and the party high command.

Mr. Naik told this paper that Mr. Subramaniam had informed him about his plans to resign on Tuesday itself and he had tried to convince the governor to continue. However, Mr. Subramaniam was determined to quit and had left for the capital armed with his resignation letter.

Mr. Naik said the resignation would have no bearing on the state affairs since it had no connection with the developments in the state.

The resignation letter of the governor released to the press tonight said:

"It is mentioned in the news item that I talked to the HERALD at private tea session after attending the Indian Science Congress on 4th January. That I talked to the HERALD is factually incorrect as it was a private tea with scientist and no journalist was either invited or expected to be present there. There was conversation among the people and the atmosphere was informal. Some among the group appreciated your candid views at the inaugural session. Some people also pointed out the heavy burden of work you are shouldering especially in the context of the present political situation. Some were critical while others were sympathetic.

"I expressed the view that perhaps you could reduce some of the workload by entrusting some portfolios under your charge to your colleagues and curtailing outside engagements by taking up only the essential ones. Being a private tea, others also joined freely and expressed their opinions. It was not meant to be in any way critical of you or your functioning as has been made out by the paper, least of all public criticism. I was therefore pained to read this item in the HERALD.

"In any event since this might be construed as a public criticism by me and might cause you, embarrassment, the only course of action which will conform to the strictest code of public conduct which I have set for myself is to tender my resignation."

Hurdle in Bofors Investigation Quashed

93AS0470A Calcutta THE STATESMAN in English
18 Dec 92 p 1

[Text] New Delhi, Dec 17. The Supreme Court today quashed the judgement of Delhi High Court quashing the First Information Report [FIR] against the former Bofors agent, Mr. Win Chadha, and quashing the Letters Rogatory issued by a special Delhi judge to the Swiss

authorities seeking their assistance to investigate the Bofors gun deal scandal. In effect, the last legal hurdle in the investigation is over.

Mr. Justice S.R. Pandian and Mr. Justice K.J. Reddy quashing the judgement observed: "In spite of the finding of this court ... the High Court has grossly erred in quashing the FIR, the same has resulted in a glaring injustice, namely, that the investigation into the grave and serious crime has got scotched and all the efforts so far taken by the investigating agency in digging out the requisite evidence got buried.

The court has expressed shock on seeing that the High Court has gone out of its authority and overstepped its province by making use of certain original records and then on the basis of the said records proceeded to examine the entire procedure followed right from the proposal up to the finalization of the contract between Bofors and Government of India and its genuines and bona fides and ultimately affixed its seal of judicial approval holding that the contract is perfect and bona fide.

Rejecting the challenge to the FIR on the basis of the Joint Parliamentary Committee [JPC] report, the court said the suspicion entertained by the JPC gives room for a probe, especially when there is a scope of getting sufficient assistance to make the probe.

The court also expressed surprise that the High Court had taken a serious view of the impounding of the passport of Mr. Win Chadha as being a supportive reason for its finding of annulling the proceeding.

In fact that proceeding under the Passport Act cannot have any bearing in this proceeding initiated for quashing the FIR even though impounding of the passport is to secure the presence of Mr. Chadha for the investigation purpose in connection with Bofors case, the court added.

Earlier, the court expressed surprise as to how the High Court quashed the FIR after having positively found that the FIR discloses an offence against named and unnamed accused which will include the respondent also. But in the next breath, it is held that no offence is made out.

"This court, in its earlier proceeding, has rejected the contention that the FIR does not disclose any offence. This observation is binding on the High Court. Yet the High Court strangely, by way of self-contradiction, has held that no offence is made out against the petitioner and thereby stonewalled the CBI probe."

Setting aside the judgement, the court observed: "We, therefore, are of the firm view that the self-contradictory findings of the High Court itself gives a frontal attack to the impugned judgment, rendering it unsustainable both in law and fact. To put in ironically, the impugned judgement profusely bleeds due to its self-inflicted injury."

Upholding the validity of the Letter Rogatory, the court said: "We unhesitatingly set aside the order of the High Court quashing the Letter Rogatory dated 5/7 February 1990, and the rectified Letter Rogatory dated 21/22 August 1990 issued in pursuance of the orders passed by the special judge".

New Party Alliance Formed in Tripura

93AS0551A Calcutta *THE STATESMAN* in English
14 Jan 93 p 7

[Text] Agartala, Jan 13. CPI(M) dissidents, the Indian People's Front, CPI(ML) [Communist Party of India-Marxist-Leninist], SUCI [Socialist Unity Center of India] and Backward Class Democratic Front floated a "Left and democratic alliance" today to fight, "anti-people forces" like the Congress(I), TUJS [Tripura Upajati Juba Samiti] and BJP-sponsored [Bharatiya Janata Party] Right reactionary elements in Tripura Assembly elections.

The People's Democratic Front [PDF] earlier formed by the State CPI(M) dissidents released the names of its five candidates. Mrs. Gouri Bhattacharjee, former leader of CPI(M) women's front and MLA [member of Legislative Assembly], has been pitted as a PDF nominee against the former Left Front Chief Minister and now politburo member, Mr. Nripen Chakraborti, in the Agartala town constituency.

The other PDF candidates, Mr. Haripada Das, Mr. Nakul Das, sitting CPI(M) MLA and dissident leader, Mr. Radha Charan Sinha and Mr. Jitendra Mazumder, put up for the Barjala, Pratapgarh, Chandipur and Kakraban Assembly seats, will fight against Mr. Arun Bhowmik, Janata Dal State president and nominee of the CPI(M)-led Left Front, Mr. Anil Sarkar and Mr. Baidyanath Mazumder, both former Front Ministers, and Mr. Keshab Mazumder, sitting CPI(M) MLA, respectively.

The PDF central committee spokesmen said here the "parallel Left and democratic alliance" would field candidates in about 20 constituencies. In 40 others, the PDF will support Front candidates against the ruling coalition. The PDF is said to have had initiated a move for a broad-based Left and democratic organizations' unity, which was abandoned as the CPI(M) showed reluctance.

The PDF, the spokesmen claimed, followed the Marxist-Leninist line while the State CPI(M) had deviated from the party central committee's stance.

About 1,500 CPI(M) activists and leaders are said to have joined the PDF.

Tripura's CPI(M)-led Left Front and allies the Janata Dal and Tripura Hill People's Party in their poll pledge released here last night committed themselves to dismantling the "semi-fascist" administrative set-up of the Congress(I)-TUJS and restore parliamentary democracy.

BJP Plans Campaign To Force Elections

93AS0597A Calcutta *THE TELEGRAPH* in English
17 Jan 93 p 4

[Text] New Delhi, Jan. 16—The BJP [Bharatiya Janata Party] has decided to divide its campaign to force a general election into two phases. The party will press for elections to the four state Assemblies of Rajasthan, Madhya Pradesh, Uttar Pradesh and Himachal Pradesh as the first part of its strategy.

The Sangh Parivar has fashioned its assault to concentrate on forcing the government's hand on each issue it has taken up. Two of the BJP's demands—darshan of Ram lalla idols and release of its arrested leaders—have been met. The party has claimed success on this issues has resulted in the pressure it had mounted by threats of agitation.

The BJP now has decided to go all out to get the government to commit itself to Assembly elections in the four states at the end of six months of President's rule. The party has convened a meeting of its national executive for February 26 and 27, immediately after the public rally it is planning in the capital.

The BJP has also threatened "direct action" if its demands are not met. Party sources said the BJP-RSS [Rashtriya Swayamsevak Sangh] brains trust had decided that the BJP and the cadre of allied organisations would be utilised in "completely jamming the functioning of the four state governments."

The party has embarked on a programme of continuous aggression to keep the Rao government on the backfoot. The senior vice-president, Mr. Sundar Singh Bhandari, said the party would force the Prime Minister to take decisions on each of the issues it has raised. "The government will have to decide, act and declare. We will not allow the government to adopt a policy of drift," he said.

The BJP has arrived at the assessment that it would not be possible to right away build the pressure for a general election. The party is confident of a fair showing in the Assembly polls and will look upon the reinstallation of its governments as a huge moral victory. "We will thereafter not allow this Parliament to function," said another party vice-president, Mr. K.R. Malkani.

Once the current phase of agitations launched by the party concludes by the end of the Budget session, the BJP will launch dharnas and protest marches in front of state and Union government offices in the four states. Gherao of Union ministers is also being considered.

According to Mr. Bhandari, by mounting pressure on the government and forcing it to decide on sticky issues that the Prime Minister would rather put into the deep freeze, the BJP hopes to register gains on the temple construction front by the end of February. "The government will have to spell out its policy. It will have to at least begin the procedure for a Supreme Court reference," the leader said.

The BJP feels that by making the Congress concede its points, it will inch closer to power at the Centre. The party leadership will pitch the four former chief ministers almost exclusively into this task. The former Uttar Pradesh chief minister is also expected to address rallies at all state capitals. He begins with a rally in Delhi on the evening of December 19, the day of his appearance at the Supreme Court in contempt hearings.

The RSS-BJP leaders are looking to achieve their objective with an explosive burst after the February 25 rally here. The party is pulling out all the stops for this rally, which will also be the day when the full details of "direct action" will be announced. The rally will cap the continuous raising of political stakes that has followed the December 6 demolition. The rally will mark the end of the first movement.

The massive mobilisation the party is planning will be the launching pad for a stepped-up attack aimed at forcing the government to call elections to the four Assemblies.

Paper Interviews Marxist-Leninist Chief

93AS0565A Bombay THE TIMES OF INDIA in English 5 Jan 93 p 9

[Article: "CPI(ML) Chief Outlines Peaceful Role"]

[Text] Calcutta, Jan. 4. In his first interview after coming out in the open from his 20 years of underground activities, Mr. Vinod Mishra, the general secretary of the CPI(ML) [Communist Party of India (Marxist-Leninist)] liberation group, told THE TIMES OF INDIA NEWS SERVICE here on Sunday that the nation was facing an ideological crisis.

He said it was the task of the left forces to provide an alternative instead of following this party or that, obviously meaning the two major communist parties' dependence on the Congress and the National Front partners.

He stated that with the emergence of the rightist offensive by the BJP [Bharatiya Janata Party], the people were not eagerly waiting to see what the left had to offer.

It was time that the left came out with its revolutionary vision to save the country from the dangerous swing to the right. It was on this count that the CPI (ML) at its recently held congress had given the call for left confederation and the establishment of a unified Communist Party, he added.

Mr. Mishra, who has still a number of criminal cases pending against him both in West Bengal and Bihar, is, however, confident that in the changed political situation the government would not serve the pending warrants of arrest against him.

Born in Jabalpore in 1947, Mr. Mishra was brought up in Kanpur where his father was an employee in the ordnance factory. Later, he joined the regional engineering college at Durgapur, in west Bengal, but before he could complete the course, he became a wholetime of the CPI (ML) in 1969.

Arrested in 1970 and released two years later, he moved to Bihar before working for a good period in the Naxalbari area in North Bengal. Since 1975, he has remained the general secretary of the party, following the martyrdom of Jahar, the first general secretary of the party.

Mr. Mishra, who speaks chaste Bengali with a slight non-Bengali accent, said that unlike other parts of the world, the demise of socialism in the Soviet Union and in the East European countries had not led to the disintegration of the communist parties in India.

Surprisingly, the communist parties in India had not only held their ground, they had expanded even after the collapse of socialism in those countries. What was more, now that the irritant of external intervention, particularly by the CPSU [expansion not given], had been removed, there was an urge among the ranks of different communist parties to come closer.

He pointed out that earlier the CPM [Communist Party of India Marxist] used to consider them as untouchables. The emerging Indian reality had, however, forced the CPM to have united with them on the peasants and trade union fronts. In Nepal, he said, the two Communist parties had united to form the Communist Party of Nepal (United Marxist-Leninist). Since the ruling class in India had sharpened its attack in the form of a liberal economic policy, events would compel the different Communist Parties to come closer and the proposed left confederation was a step towards that direction, he said.

Mr. Mishra, who escaped arrest several times during his underground days, said that his party had decided to operate openly because the changed situation in the country required a greater emphasis on mass political action and intervention in national politics which was not possible by operating from underground.

Asked if the party's switch to open activities meant a farewell to arms, Mr. Mishra said they still believed in the basic theory that armed revolution would bring the ultimate victory. Meanwhile, as Marxists it would be wrong to ignore the possibility of a relatively peaceful transfer of central power to the revolutionary forces in the event of the exceptional international and national circumstances.

For instance, he pointed out the African National Congress, which had been that waging an armed struggle all these years, was not on the verge of gaining state power through peaceful negotiations.

Questioned if they still believed an individual annihilation, Mr. Mishra said it was originally formulated as a higher form of class struggle. But later it was found that in a majority of cases it turned out to be negation of class struggle.

Referring to Mahatma Gandhi's role, he stated that they still felt that as an individual he was pro-imperialistic. Leading the nationalist movement, Gandhiji became the vehicle of the people's protest. Unfortunately, however, he did not carry the movement to the climax and betrayed them at important junctures. India could have

achieved its independence much earlier, had Gandhiji not vacillated in his leadership. In fact, Gandhiji was a complex character. "I can condemn Gandhiji individually, but not his 1942 movement," he added.

Mr. Mishra came down heavily on the CPI and the CPM for their over-dependence on the Congress and the Prime Minister, Mr. Narasimha Rao, to resolve the Ayodhya tangle. No amount of administrative measure or any court order would be able to bring about a solution to the crisis. Only a sustained mass campaign to bring pressure on the Rao government to get rid of its vacillation and take a resolute stand on the issue could help resolve the problem, he added.

Reportage on Janata Dal National Executive Meet

Resolution on Babri Masjid

93AS0563A *Bombay THE TIMES OF INDIA*
in English 4 Jan 93 p 13

[Article: "JD (Janata Dal) Blames PM (Prime Minister) for Demolition"; quotation marks as published]

[Text] New Delhi, January 3. The deliberations of the two-day Janata Dal [JD] national executive and the resolution adopted by it on the demolition of the Babri Masjid today indicated a tightrope walk by the party on the December 6 events and the subsequent developments.

That the Dal has deliberately decided to adopt a cautious approach on the Ayodhya issue was abundantly evident from the three-page resolution which said little beyond condemning the BJP/VHP/RSS [Bharatiya Janata Party/Vishwa Hindu Parishad/Rashtriya Swayamsevak Sangh] combine for the demolition of the mosque and holding the Prime Minister morally and politically responsible for their 'great national tragedy.'

The resolution, while accepting the challenge thrown by the communal forces, also recognised the need for launching a mass struggle through the regrouping of secular forces and strengthening of the planks of social justice, economic and political decentralisation and rule of law.

Although the resolution did not name the parties that should be approached for this battle, several speakers, including Mr. Nitish Kumar and Mr. George Fernandes, it is learnt, made a strong plea for active co-operation between all the "elements that constituted the Janata Dal in 1989" in order to meet the challenge posed by the 'Hindutva' forces. Their reference was to the formation of an alliance with Mr. Chandra Shekhar, the SJP [Samajwadi Janata Party] faction led by Mr. Mulayam Singh Yadav and the Janata Dal faction led by Mr. Ajit Singh. However, the national executive categorically rejected any joint campaign with the Congress party, which, according to them, is as responsible for the December 6 events at the BJP.

The Central government's role especially the Prime Minister's "indecisiveness," came in for sharp criticism during the discussions. The formal resolution, however, did not press for Mr. P. V. Narasimha Rao's resignation.

Although several members, it is learnt, demanded that a more categorical reference to this, there were others like Mr. George Fernandes who felt that the demand for the Prime Minister's resignation would be meaningless unless the party also asked for a mid-term poll.

Since there were few takers for this suggestion, the resolution made a wishy-washy reference, stating that the "JD parliamentary party had sought the resignation of the PM [Prime Minister]," adding that he owes an apology to the nation for his admitted miscalculation and misconception and his evident failure to defend the constitution and uphold the rule of law.

The Janata Dal's move to soft-pedal the Ayodhya issue and adopt a moderate line is apparently in view of the overwhelming opinion of the national executive members that the party should "not be perceived as another Muslim League" and that a more balanced view of the situation be taken. In fact, several Muslim speakers openly blamed the fundamentalists in the minority community, referring obviously to Mr. Syed Shahbuddin who, they felt, were responsible for creating an atmosphere in which Hindu fanaticism was thriving. Mr. Waseem Ahmed, it is learnt, openly stated that their fight against the BJP would be rendered useless if people like Mr. Shahbuddin were placed at the forefront, adding that in the interest of the Muslim community and secularism, such self-styled Muslim leaders should maintain a low profile.

There was also a strong demand for Mr. V. P. Singh to take over as party president, with several members like Mr. Srikant Jena reiterating that since Mr. Singh symbolised everything that the Dal stood for, he should take over the organisation so as to lead the party in this major battle that lay ahead.

Political Resolution

93AS0563B *Bombay THE TIMES OF INDIA*
in English 5 Jan 93 p 13

Article: "JD To Consolidate 11-Party Front"]

[Text] New Delhi, January 4 (PTI). The Janata Dal [JD] has decided to consolidate the 11-party secular front to combat communalism and receive the Mandal issue, and has brushed aside the Prime Minister's call for a joint fight against communal forces.

In the political resolution, adopted at the two-day Dal national executive which concluded here late last night, the party resolved to have full participation in the campaigns and programmes of this front including the Left parties and constituents of the National Front.

Releasing the resolution at a press briefing, the party spokesman, Mr. Hari Kishore Singh, said "we have our own doubts about the secular credentials of the present leadership of the Congress." He was replying to a question whether the ruling party would also be part of the secular front.

Accusing the BJP of helping the Congress government by diverting the people's attention from pressing problems through the mandir agitation, the party decided to intensify its agitation demanding implementation of the Mandal Commission report which had been upheld by the supreme court and for legislation to implement the scheduled castes/scheduled tribes quota.

The party will also take up the comprehensive agricultural policy and revive the struggles the Janata Dal had already launched on the issue of rising prices of fertilisers and essential commodities like jute, cotton, sugarcane and foodgrains and for devolution of power and decentralisation of economy.

The resolution said the only way to free the minds of people from the communal virus was to involve them in struggles on basic social and economic issues and urged its party units and workers to take the cooperation of the Left parties and National Front constituents in this task.

It said, today the national scene was quite alarming with the ethos of secularism and national unity; the richest heritage of the freedom struggle, under attack.

"The worst type of chauvinism is taking roots. The tragedy is that all this is being vigorously attempted with the ulterior objective of capturing political power," it said and called for fighting this "calculated move" of BJP and its allies, through united efforts of all secularist forces.

The executive said, "the subsequent faltering steps taken by the government were piecemeal and counter-productive without any comprehensive approach. Against this background, the government headed by Narasimha Rao ought to have resigned."

To ensure effective steps to prevent communal violence, the Janata Dal demanded restructuring of the existing police and paramilitary forces so that they broadly reflected the cross section of society. The party appreciated the role of the people and the Janata Dal governments of Bihar and Orissa in preventing communal violence after the Ayodhya events.

The party demanded a judicial enquiry into developments that led to the demolition of the Babri Masjid and its aftermath and condemned the desecration of Hindu temples in Pakistan and Bangladesh and attack on the Hindu minorities.

At a later stage, the resolution said, the BJP's efforts to intensify the Ram mandir agitation came as a boon to the Narasimha Rao government to divert people's attention from the anti-people economic policies of the government that has 'plunged' the country into inflation, declining growth rate, unemployment, closure of public enterprises, grave hardships to agriculturists and wheat imports at "exorbitant" prices.

More on Political Resolution

93AS0563C Madras THE HINDU in English 5 Jan 93
p 9

[Article: "Janata Dal Undecided on Realignment of Forces"]

[Text] New Delhi, Jan. 4. The Janata Dal [JD] would like to wait and watch before formulating its line on the realignment of political forces to counter the communal challenge posed by forces responsible for the demolition of the Babri Masjid in Ayodhya.

The dilemma before the party on the future political alignments is evident from the political resolution adopted by the national executive of the Dal which concluded on Sunday. It merely welcomed the recently formed secularist front of 11 parties and mass organisations and reiterated the resolve of the party to combat communalism through the front.

Interestingly, the resolution does not reflect the views of senior party leaders like Mr. V. P. Singh equating the Congress(I) with the Bharatiya Janata Party (BJP) on the question of communalism. As opposed to the congress(I), the resolution holds the Government led by Mr. Narasimha Rao responsible for the events of December 6 and has stated that the Government headed by him "ought to have resigned."

"The calculated move of the BJP and its allies needs to be fought through united efforts of all secularist forces," the resolution said in reference to the post-demolition challenge.

There was a lively debate in the executive on whether or not the party should reiterate its demand for the resignation of the Prime Minister. Ultimately the move was dropped after some members wanted to know what the party desired after such an eventuality.

In the perception of the national executive the Ram Mandir agitation came as a boon to the Narasimha Rao Government to divert people's attention from the anti-people economic policies of the Government that plunged the country into inflation, decline in the rate of growth, threat of unemployment, closing down of public sector enterprises, grave hardships to agriculturists and rural labour.

"On these basic issues of social justice and economic exploitation of the poor, people's attention has been systematically diverted by the BJP's mandir agitation. This has helped in shielding the Congress(I) Government from the peoples wrath," the resolution said.

In these circumstances, the resolution said, the Janata Dal would intensify its agitation for implementation of the Mandal Commission report, for legislation to implement the SC/ST quota, the question of a comprehensive agriculture policy, and revive struggles on the issue of rising prices.

In a separate resolution on the Supreme Court Judge, Justice V. Ramaswami, who has been found guilty of charges involving moral turpitude, the national executive urged the Chief Justice of Supreme Court to withdraw immediately all judicial work from him.

Rules for Establishing Private Sector Banks

93AS0596A Madras *THE HINDU* in English 23 Jan 93
p 12

[Text] Bombay, Jan. 22—The Reserve Bank of India [Reserve Bank of India] today announced detailed guidelines for setting up new private sector banks. While permitting new players in the banking industry it has set out the following considerations:

- They subserve the underlying goals of financial sector reforms which are to provide competitive, efficient and low cost financial intermediation services for the society at large;
- They should result in upgradation of technology in the banking sector;
- They avoid the shortcomings such as unfair preemption and concentration of credit, monopolisation of economic power and cross holdings with industrial groups which beset the private sector banks prior to nationalisation;
- Freedom of entry in the banking system may have to be managed carefully and judiciously.

Based on these considerations, the RBI has formulated the following guidelines:

- (a) Such a bank shall be registered as a public limited company under the Companies Act, 1956.
- (b) The RBI may, on merits, grant a licence under the Banking Regulation Act, 1949 for such a bank. The bank may also be included in the second schedule of the RBI Act, 1934 at the appropriate time. The decision of the RBI in these matters shall be final.

Minimum Capital

- (c) The bank will be governed by the provisions of the Banking Regulation Act, 1949 in regard to its authorised, subscribed and paid up capital. The minimum paid up capital for such a bank shall be Rs. 100 crores. The promoters' contribution for such a bank shall be determined by the RBI and will also be subject to other applicable regulations.
- (d) The shares of the bank should be listed on stock exchanges.
- (e) To avoid concentration of the headquarters of new banks in metropolitan cities and other overbanked areas, while granting a licence preference may be given to those the headquarters of which are proposed to be located in a centre which does not have the headquarters of any other bank.
- (f) Voting rights of an individual shareholder shall be governed by the ceiling of one percent of the total voting rights as stipulated by Section 12 (2) of the Banking Regulation Act. However, exemption from this ceiling may be granted under Section 53 of the said Act, to public financial institutions.
- (g) The new bank shall not be allowed to have as a director any person who is a director of any other

banking company, or of companies which among themselves are entitled to exercise voting rights in excess of 20 percent of the total voting rights of all the shareholders of the banking company, as laid down in the Banking Regulation Act, 1949.

(h) The bank will be governed by the provisions of the RBI Act, 1934, the Banking Regulation Act, 1949 and other relevant statutes, in regard to its management set up, liquidity requirements and the scope of its activities. The directives, instructions, guidelines and advices given by the RBI shall be applicable to such a bank as in the case of other banks. It would be ensured that a new bank would concentrate on core banking activities initially.

Capital Adequacy

(i) Such a bank shall be subject to prudential norms in respect of banking operations, accounting policies and other policies as are laid down by the RBI. The bank will have to achieve a capital adequacy of eight percent of the risk weighted assets from the very beginning. Similarly, norms for income recognition, asset classification and provisioning will also be applicable to it from the beginning. So will be the single borrower and group borrowers exposure limits that will be in force from time to time.

(j) The bank shall have to observe priority sector lending targets as applicable to other domestic banks. However, in recognition of the fact that new entrants may require some time to lend to all categories of the priority sector, some modification in the composition of the priority sector lending may be considered by the RBI for an initial period of three years.

(k) Such a bank will also have to comply with such directions of the RBI as are applicable to existing banks in the matter of export credit. As a facilitation of this it may be issued an authorised dealers' licence to deal in foreign exchange, when applied for.

(l) A new bank shall not be allowed to set up subsidiary or mutual fund for at least three years after its establishment. The holding of such a bank in the equity of other companies shall be governed by the existing provisions applicable to other banks, namely, (1) 30 percent of the bank's or the investee company's capital funds, whichever is less, as set out under the Banking Regulation Act, 1949; and (2) 1.5 percent of the bank's incremental deposits during a year as per RBI guidelines. The aggregate of such investments in the subsidiaries and mutual fund (if and when set up) and portfolio investments in other companies shall not exceed 20 percent of the bank's own paid up capital and reserves.

(m) In regard to branch opening, it shall be governed by the existing policy that banks are free to open branches at various centres including urban/metropolitan centres without the prior approval of the RBI once they satisfy the capital adequacy and prudential accounting norms. However, to avoid overconcentration of their branches in metropolitan areas and cities, a new bank will be

required to open rural and semi urban branches also, as may be laid down by the RBI.

(n) Such a bank shall have to lay down its loan policy within the overall policy guidelines of the RBI. While doing so, it shall specifically provide prudential norms covering related party transactions.

(o) Such a bank shall make full use of modern infrastructural facilities in office equipment, computer and telecommunications in order to provide good customer service. The bank should have a high powered customer grievances cell to handle customer complaints.

(p) Such other conditions as the RBI may prescribe from time to time.

Foreign Exchange Regulation Act Amended

93AS0557A Madras *THE HINDU* in English 9 Jan 93
p 1

[Article: "Ordinance Amends FERA"; boldface words as published]

[Text] New Delhi, Jan. 8. The Foreign Exchange Regulation Act (FERA) of 1973 has been amended through an ordinance promulgated by the President, Dr. Shankar Dayal Sharma, today. With the amendments, the Act sheds some of the provisions which had been introduced in a highly regulated economy and incorporates new rules in line with the current liberalised policies.

While some of the changes had been announced earlier by the Reserve Bank of India [RBI] and the Central Government through official notifications, the ordinance lends them legal backing to these changes as demanded by potential foreign investors, pending amendment of the Act in Parliament. The amendment to the act was scheduled for the winter session of Parliament but could not be carried through because of other political developments in the wake of the Ayodhya crisis.

Through the notifications earlier, various facilities were extended to foreign/FERA companies on the appointment of technical and management advisors, opening of branches, acquisition of immovable property, borrowing of money or acceptance of deposits, etc. Facilities were also extended to non-resident Indians [NRI], Indian companies and residents for opening of foreign currency accounts in India following the introduction of partial convertibility of the rupee on current account from March 1, 1992. Notifications had also been issued exempting non-resident Indians returning to the country from making declarations on their arrival regarding their assets abroad and from the requirement of prior approval for the acquisition of immovable property in India.

Sections deleted: The amendments notified through the ordinance contain the deletion of Section 11 which provided statutory backing to the RBI's practice of blocking securities of persons who had migrated as well as that of prospective emigrants. Similarly, Section 12, which pertained to powers of the Central Government to direct certain payments to be made into special account,

has been deleted. As for Section 12, it has been amended to cover only trade in gold or silver coins as all other trade in gold and silver will be covered by the export-import policy. This Section will also regulate export and import of foreign exchange and Indian currency.

Section 15, which regulated payment by non-residents in foreign currency while on a visit to India, has also been deleted. Similarly, Section 17 which gave powers to regulate use of imported gold and silver has been deleted on grounds that it has become redundant.

New provision: The Ordinance introduces a new section 18A which permits the taking out of the country goods on rental, lease, hire or any other arrangement which does not amount to the disposal of such goods. This relaxation has been demanded by exporters and others for quite some time now.

Under Section 19, the sub-clause (c) of Section 19 (1) and Section 19 (4) have been deleted since these dealt with the transfer of any security from a register in India to a register outside India. This provision was intended to take care of erstwhile sterling companies which had dual registers.

However, under Section 19 (5) there will no longer be any regulation of transfer of shares by a non-resident to another non-resident while the regulation will continue in case of transfer of shares by a non-resident to a resident and transfer by a foreign national resident in India to another resident. This is because in these two cases question of valuation and permission for remittance arise. The scope of this Section has also been widened to include bonds and debentures.

Also, powers to exempt any transfer from the provisions of Section 19 (5) have been shifted from the Central Government to the RBI.

Sections 20 and 21, which pertained to restrictions on payment in respect of Government securities created or issued for raising public loans before Independence and custody of securities by a depository or any other person, have been deleted.

Powers shifted: The ordinance continues the operation of Section 22 which pertains to restrictions on issue of bearer securities but the powers of the Central Government have been shifted to the RBI. Section 23, on the other hand, has been deleted which provided for the acquisition by the Central Government of foreign securities for purpose of strengthening the foreign exchange position. The deletion has been made on the ground that this section was never invoked by the Government and was unlikely to be used. Also, it was causing avoidable misapprehensions and fears among foreign investors.

Section 25, which pertains to restrictions on holding immovable property outside India has been suitably amended to enable the RBI to grant general permission subject to certain conditions as may be notified from time to time.

Under Section 26, which pertained to restrictions on FERA companies in the matter of borrowing funds or raising deposits by them in India as well as taking over or creating any interest in business by way of transfer from a person resident in India in their favour, has been amended. Most of the restrictions have now been done away with and only regulation that remains in respect of giving of a guarantee by a person resident in India in respect of any debt or other obligation or liability in favour of a person resident outside India.

Section 27 of the Act also stand deleted as this placed restrictions on persons resident in India from associating themselves with or participating in concerns abroad.

Section 28 has also been suitably amended. It has now been decided to take FERA companies outside the purview of this section in regard to acceptance of appointment as an agent or technical or management advisor or for the use of trade marks to which they are entitled. Similar restrictions on other companies or persons covered under this Section have also been done away with. Therefore, restrictions under this Section will henceforth apply only to foreign companies, foreign citizens and non-residents with regard to their acceptance of appointment as an Agent in India of any person or company.

Exemption to companies: Under Section 29 exemption has been provided to FERA companies from the prohibition imposed earlier on the establishment of a branch office or a liaison office even when the non-resident interest in such companies exceeds 40 per cent. Such companies will also be allowed to acquire whole or part of any undertaking in India, of any persons or company carrying on trade, commerce and industry, excepting agriculture and plantation activity. It has also been clarified that restriction with regard to activities of companies registered outside India and foreigners would continue to be regulated under this Section.

A new Section 73A has been added to enable RBI to impose a penalty of not more than Rs [Rupees] 10,000 and recurring penalty of up to Rs. 2,000 per day against authorised dealers of foreign currency for failure to submit period accounts. This has been done because prompt and regular submission of accounts has become imperative with large scale delegation of powers.

Also, individuals have now been permitted to keep foreign currency with them up to the limit of Rs 15,000 which is equal to dollars 500 approximately. Earlier, the burden of proof for keeping foreign currency in excess of the equivalent value of Rs 250 was with the individual.

Cooperation Agreement Reached With EC

93AS0469A Madras *THE HINDU* in English 16 Dec 92 p 7

[Text] Brussels, Dec 15. India and the European Community have initialled a new cooperation agreement which officials say will upgrade bilateral trade ties and boost India's international economic clout.

The deal, expected to come into force early next year, also looks set to become a model for other developing nations seeking closer ties with the community.

"It puts the emphasis on equality rather than the traditional donor-beneficiary relationship," says a senior EC official.

"Political cooperation will also be important," he added. Indian officials stress that the new pact represents a "substantial improvement" over the agreement signed in the Eighties and the recent spate of accords between the European Community and the other Asian and Latin American States.

"It is a good agreement", an Indian negotiator stressed in Brussels. "It definitely widens the scope of our cooperation."

For India, closer economic links with Europe are specially important given the collapse of its erstwhile special relationship with the former Soviet Union.

The Community for its part, hopes to reap important benefits through closer links with South Asia's largest nation. European exporters are looking forward to gaining access to a potentially large consumer market.

Goodwill: There are hopes in Brussels that the pact and the EC's obvious goodwill towards India will quell Asian critics who say their region is being ignored.

India was specially determined to secure the new deal before the enforcement of the European single market next January. Fears of "Fortress Europe" have persuaded several other nations to try and strike a new deal with the EC before next year.

But officials say India is not just looking for more European development aid or better access to markets. Prospects for closer science and technology links and action to boost India's economic base are equally important.

"We see the prospect for EC-India cooperation to build up India's economic ability as specially important," an Indian official said.

The new agreement includes an ambitious economic program which commits the European Community to "building up India's economic development and developing and diversifying two way trade."

Brussels says that instead of old fashioned ways of dealing with governments, the emphasis will be on direct contacts with business leaders.

"The private sector will get priority," an EC official underlined.

Reforms strategy: The Community has been encouraged by India's moves to deregulate and open up its economy, but officials say more has to be done. "The pace of our cooperation will depend on the speed with which India can implement its economic reform strategy," says an EC negotiator.

Governments must help set up "favorable" business climate. But they should not intervene too heavily in business and economic affairs.

The agreement highlights the need for closer contacts between European and Indian businessmen. But it also says India must have easier access to European know-how and technology.

EC business leaders, meanwhile, have been promised better protection for their trademarks. India has agreed that any concessions on intellectual property rights it

grants other countries—including the United States—will also be given to EC nations.

The agreement will have a special reference to human rights and democracy in its chapter on "objectives."

The Community agreed not to draft a separate clause on human rights because of Indian objections. Brussels and New Delhi have also agreed to a high level "political dialogue" and to consult each other on all international and bilateral trade issues—IPS.

Editorial Views 'Prithvi' As Important Asset

93P50063A Madras DINAMANI in Tamil 9 Feb 93 p 6

[Editorial: "An Important Asset"]

[Text] The tenth successful test of the indigenously developed and manufactured surface-to-surface missile (SSM) "Prithvi," demonstrates yet again that the "Indigenous Guided Missile Development Programme (IGMDP)," is a superb accomplishment.

As a part of the impressive collection of missiles developed by the scientists of IGMDP, the Prithvi plays a vital role. The latest launch, a 250 km range and 500 kilo payload version, would prove to be an invaluable asset as a battlefield support to any commander during hostilities. Designed to destroy crucial command structures and disorient formations in times of conflict, it is a vital tactical weapon. Military strategists consider SSMs as central to current planning of operations. It is not enough that there have been ten successful test launches. The scientists are satisfied; now the soldiers will have to tell how they find the missile. The servicemen must give the ultimate signal that it works. If more testing is required, then they should be conducted.

A company named Bharat Earthmovers has manufactured the tractor-erector-launcher capable of handling the entire range of functions of this missile. Last Sunday's successful launch utilized one of these, bringing this indigenous company's name also to the forefront.

So far, these tests have taken place only under favorable climatic conditions. In battle there is no guarantee of good weather. It is essential now to put the missile through conditions that are other than meteorologically placid as well. This is necessary to fully test it, and to establish the efficacy of the guidance system.

Given resolve, India is capable of attaining self-sufficiency in missile technology, and it is evident in the vigor with which the IGMDP has been conducted. It is especially significant since India is faced with U.S. sanctions in the purchase of cryogenic rockets from Russia, per previously concluded bilateral agreements. These sanctions are based on a dubious interpretation of the Missile Technology Control Regime. India has never sought to acquire the technology surreptitiously. Since Pakistan, with China's assistance, has already deployed missiles of this kind, the vital need for India to induct the Prithvi is obvious. After all, India has every right to make decisions on matters of her defense and security.

Supreme Court Confirms Sentence on Caste Hindus

93AS0467A New Delhi PATRIOT in English 15 Dec 92
p 2

[Text] The Supreme Court on Monday warned against "rise in violent cult" if the existing inequalities and imbalances were not removed and social order readjusted through rule of law, reports ANI.

In a significant judgement, the court confirmed one month simple imprisonment and Rs [Rupees]100 fine each on the four upper caste Hindus from Belgaum, Karnataka, who had at the gun point 12 years ago stopped village Harijans from taking water from a newly dug well. The sessions judge about 10 years ago awarded the sentence to the five casts Hindus, one of whom died last year. But the Karnataka High Court acquitted them all. The Karnataka Government in 1983 appealed to the apex court against acquittal.

While disposing of the appeal after nine years, Mr. Justice Kuldip Singh and Mr. Justice K. Ramaswamy noted that "political and economic democracy would be of no avail unless social inequalities are removed." Poverty, illiteracy and caste system are positive dangers to democracy, the judges said and added "democracy is essentially a form of society."

Saying that political democracy without social democracy could not last long, the court stressed the need for elevating less privileged in the interest of democracy.

Dealing with the entire, constitutional scheme to ameliorate the lot of under-privileged and Harijans, the judges referred to Schedules Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 which ensures speedy trial where rights by "Dalits" were involved.

"The judges should respond to the human situations to meet the felt necessities of the time and social needs to give effect to the Constitution and the will of legislature, it was pointed out. There was urgent need that the judiciary respond to the nation's needs and interpret the law with pragmatism.

Referring to the changing socio-political and economic situation, the court said public policy would enable the courts to recast the changing conceptions of social values of yesteryears to carve out place for changed conditions ad environment in the larger good.

"The courts are to search for light from among the social elements of every kind that are the living forces behind the factors they deal with", the judges added.

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